

**UNOFFICIAL VERSION**

**THURSDAY, JUNE 18, 2020**

**SEVENTY-THIRD LEGISLATIVE DAY**

The House met at 10:30 a.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Kevin Brooks, Mayor of Bradley County.

The proceedings were opened with prayer by Bishop Kevin Brooks, Church of God, Cleveland, TN.

Representative Faison led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 92

Representatives present were Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 92

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Cooper

Representative Camper

Representative Terry; business

Representative Travis

Representative Coley

**PRESENT IN CHAMBER**

Rep. Sparks was recorded as being present in the Chamber.

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**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 373** Reps. Wright, Eldridge and Rudder as prime sponsors.

**House Bill No. 1387** Reps. Towns, Smith, Windle, Stewart, Littleton, Lynn, Byrd and Beck as prime sponsors.

**House Bill No. 1615** Reps. Sherrell, Thompson, Moody and Stewart as prime sponsors.

**House Bill No. 1830** Rep. Williams as prime sponsor.

**House Bill No. 1982** Reps. Ogles, Moon, Doggett, Sherrell, Parkinson and Whitson as prime sponsors.

**House Bill No. 2131** Reps. Hicks, Gant, Boyd, Curcio, Russell, Dunn, White, Moon, Wright and Faison as prime sponsors.

**House Bill No. 2201** Reps. Sherrell, Zachary and Moon as prime sponsors.

**House Bill No. 2263** Reps. Zachary, Hurt, Cepicky, Crawford, Ragan, Williams, Grills, Cochran, Doggett, Byrd, Powers, Tillis, Baum, Calfee, Rudder, Rudd, Eldridge, Bricken, Ogles, Helton, Russell, Hawk and Kumar as prime sponsors.

**House Bill No. 2350** Reps. Baum, Helton and Sparks as prime sponsors.

**House Bill No. 2680** Reps. Byrd, Hodges, Love, Hakeem, Helton, Hardaway, Vaughan, Baum, Carter, Powell, Hurt, Beck, Kumar, Lamar, Crawford, Miller, Daniel, Lafferty, Littleton, Shaw, Freeman, Chism and Parkinson as prime sponsors.

**House Bill No. 2689** Reps. Parkinson, Faison and Chism as prime sponsors.

**House Bill No. 2705** Reps. Calfee, Powell and Hardaway as prime sponsors.

**House Bill No. 2734** Rep. Byrd as prime sponsor.

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 1406; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

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**\*Senate Joint Resolution No. 1406** -- Memorials, Death - Officer Destin Legieza, Brentwood Police Department. by \*Johnson, \*Akbari, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Gilmore, \*Gresham, \*Haile, \*Hensley, \*Jackson, \*Kelsey, \*Kyle, \*Massey, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Watson, \*White, \*Yager, \*Yarbro, \*McNally.

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 1352, 1353, 1354, 1357, 1358, 1400, 1401, 1402, 1403, 1404 and 1405; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 1352** -- Memorials, Recognition - Americans with Disabilities Act, thirtieth anniversary. by \*Massey, \*Akbari, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Gilmore, \*Gresham, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Kyle, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Watson, \*White, \*Yager, \*Yarbro, \*McNally.

**\*Senate Joint Resolution No. 1353** -- Memorials, Recognition - The Bakery Box and It's A Pear Catering. by \*Roberts.

**\*Senate Joint Resolution No. 1354** -- Memorials, Death - Anna Shepherd. by \*Yarbro, \*Gilmore.

**\*Senate Joint Resolution No. 1357** -- Memorials, Recognition - Phelan Story, Maytag Dependable Leader Award. by \*Southerland, \*Crowe.

**\*Senate Joint Resolution No. 1358** -- Memorials, Death - Judge John K. Wilson. by \*Southerland, \*Crowe.

**\*Senate Joint Resolution No. 1400** -- Memorials, Death - Dorothy Mabry. by \*Gresham.

**\*Senate Joint Resolution No. 1401** -- Memorials, Recognition - Nashville State Community College, East Davidson Campus. by \*Johnson, \*Gilmore.

**\*Senate Joint Resolution No. 1402** -- Memorials, Recognition - Honey Alexander Center. by \*Johnson, \*Gilmore.

**\*Senate Joint Resolution No. 1403** -- Memorials, Recognition - Goodwill Career Solutions Center. by \*Johnson.

**\*Senate Joint Resolution No. 1404** -- Memorials, Retirement - Assistant Chief Tommy Walsh, Brentwood Police Department. by \*Johnson.

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**\*Senate Joint Resolution No. 1405** -- Memorials, Recognition - Tri-Cities Military Affairs Council. by \*Crowe.

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2878; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 2878** -- Taxes, Sales - As introduced, changes, from July 1 to July 15, the date by which a list of economically distressed counties eligible for apportionment of sales and use tax revenue to commercial development districts is to be published by the commissioners of finance and administration, economic and community development, and revenue. - Amends TCA Title 67, Chapter 6. by \*Bailey. (\*HB2734 by \*Sexton C, \*Keisling, \*Byrd)

**WELCOMING AND HONORING**

**SPONSOR ADDED**

Without objection, Rep. Lamberth moved that Rep. Curcio be added as co-prime sponsor to **House Bill No. 1723**.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar No. 3 for June 18, 2020:

**House Resolution No. 372** -- Memorials, Personal Achievement - Sheriff Jeff Bledsoe, Executive Director of the Tennessee Sheriffs' Association. by \*Littleton, \*Curcio.

**House Resolution No. 373** -- Memorials, Congratulations - Taiwan. by \*Littleton, \*Wright, \*Eldridge, \*Rudder.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar No. 5 for June 18, 2020:

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**House Resolution No. 375** -- Memorials, Recognition - Christine Devereaux "Dev" Treanor Davis. by \*Parkinson.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar No. 4 for June 18, 2020:

**\*Senate Joint Resolution No. 1352** -- Memorials, Recognition - Americans with Disabilities Act, thirtieth anniversary. by \*Massey, \*Akbari, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Gilmore, \*Gresham, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Kyle, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Watson, \*White, \*Yager, \*Yarbro, \*McNally.

**\*Senate Joint Resolution No. 1353** -- Memorials, Recognition - The Bakery Box and It's A Pear Catering. by \*Roberts.

**\*Senate Joint Resolution No. 1354** -- Memorials, Death - Anna Shepherd. by \*Yarbro, \*Gilmore.

**\*Senate Joint Resolution No. 1357** -- Memorials, Recognition - Phelan Story, Maytag Dependable Leader Award. by \*Southerland, \*Crowe.

**\*Senate Joint Resolution No. 1358** -- Memorials, Death - Judge John K. Wilson. by \*Southerland, \*Crowe.

**\*Senate Joint Resolution No. 1400** -- Memorials, Death - Dorothy Mabry. by \*Gresham.

**\*Senate Joint Resolution No. 1401** -- Memorials, Recognition - Nashville State Community College, East Davidson Campus. by \*Johnson, \*Gilmore.

**\*Senate Joint Resolution No. 1402** -- Memorials, Recognition - Honey Alexander Center. by \*Johnson, \*Gilmore.

**\*Senate Joint Resolution No. 1403** -- Memorials, Recognition - Goodwill Career Solutions Center. by \*Johnson.

**\*Senate Joint Resolution No. 1404** -- Memorials, Retirement - Assistant Chief Tommy Walsh, Brentwood Police Department. by \*Johnson.

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**\*Senate Joint Resolution No. 1405** -- Memorials, Recognition - Tri-Cities Military Affairs Council. by \*Crowe.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar No. 5 for June 18, 2020:

**\*Senate Joint Resolution No. 1406** -- Memorials, Death - Officer Destin Legieza, Brentwood Police Department. by \*Johnson, \*Akbari, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Gilmore, \*Gresham, \*Haile, \*Hensley, \*Jackson, \*Kelsey, \*Kyle, \*Massey, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Watson, \*White, \*Yager, \*Yarbro, \*McNally.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **June 18, 2020**, reported the following:

**FINANCE, WAYS, AND MEANS COMMITTEE**

The Finance, Ways, and Means Committee recommended for passage: House Bill No. 1830 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**NAMING, DESIGNATING, AND PRIVATE ACTS COMMITTEE**

The Naming, Designating, & Private Acts Committee recommended for passage: House Bill No. 2918. Under the rules, each was transmitted to the Calendar and Rules Committee.

**COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar No. 2** for **June 18, 2020**: House Bill No. 1830.

It further reports that it set the following bills and resolutions on the **Consent Calendar No. 3** for **June 18, 2020**: House Bills Nos. 2932, and 2918.

**CONSENT CALENDAR**

**\*House Bill No. 1640** -- Special License Plates - As introduced, authorizes issuance of a Linemen Power Tennessee new specialty earmarked license plate to operators of vehicles that are used for passenger transport, owned by an entity that is subject to the Rural Electric and

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Community Services Cooperative Act, and that have a maximum gross weight less than 9,000 pounds. - Amends TCA Title 55. by \*Hicks, \*Gant, \*Griffey, \*Carr, \*Grills.

On motion, House Bill No. 1640 was made to conform with **Senate Bill No. 1756**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2236** -- Conservation - As introduced, requires the commissioner of general services instead of the commissioner of finance and administration to certify by January 1 of each year to the comptroller of the treasury information necessary to identify property rendered tax exempt by acquisition by the state during the prior fiscal year for conservation and preservation. - Amends TCA Section 11-14-406 and Section 11-7-109. by \*Lamberth, \*Gant, \*Tillis.

On motion, House Bill No. 2236 was made to conform with **Senate Bill No. 2167**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2192** -- Public Defenders - As introduced, reinstates service credits and salary increases that were suspended during 2009-2010 for district public defender investigators. - Amends TCA Title 1 and Title 8, Chapter 14. by \*Hulsey, \*Lamberth, \*Camper, \*Griffey, \*Beck, \*Sherrell, \*Farmer, \*Dixie.

On motion, House Bill No. 2192 was made to conform with **Senate Bill No. 2511**; the Senate Bill was substituted for the House Bill.

**House Bill No. 384** -- Insurance, Health, Accident - As introduced, extends compensation for death of emergency responders to emergency medical technicians and paramedics; authorizes local governments to continue to provide health insurance to the surviving spouse and children of an emergency medical technician or paramedic killed in the line of duty. - Amends TCA Title 7, Chapter 51, Part 2 and Title 8, Chapter 27. by \*Weaver, \*Hill T, \*Crawford, \*Beck, \*Griffey, \*Towns, \*Whitson.

On motion, House Bill No. 384 was made to conform with **Senate Bill No. 29**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2052** -- Taxes, Sales - As introduced, provides an example of the type of entity that falls within the definition of the term "private nonprofit college or university," for purposes of the tax exemption where the title holder of certain tangible personal property used by a contractor or subcontractor is a private nonprofit college or university. - Amends TCA Section 67-6-209. by \*Lynn.

**House Resolution No. 368** -- Memorials, Recognition - 340B entities providing health care to vulnerable Tennesseans. by \*Helton.

**House Resolution No. 369** -- Memorials, Recognition - Honor and congratulate our county, state, and national law enforcement officers. by \*Grills.

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**House Resolution No. 370** -- Memorials, Recognition - Anderson Kreis. by \*Leatherwood.

**\*House Joint Resolution No. 1245** -- Memorials, Death - Debbie Williams Cook. by \*Russell, \*Calfee.

**\*House Joint Resolution No. 1246** -- Memorials, Recognition - Larry Wallace. by \*Cochran.

**CONSENT CALENDAR NO. 2**

**\*Senate Joint Resolution No. 1343** -- Memorials, Academic Achievement - Zackary Edward Morgan, Salutatorian, Station Camp High School. by \*Haile.

**\*Senate Joint Resolution No. 1344** -- Memorials, Academic Achievement - Sophia Carmel Edwards, Valedictorian, Station Camp High School. by \*Haile.

**\*Senate Joint Resolution No. 1346** -- Memorials, Recognition - Donna and Tom Sullivan. by \*McNally.

**\*Senate Joint Resolution No. 1347** -- Memorials, Interns - Lexi Bramer. by \*Bell.

**\*Senate Joint Resolution No. 1348** -- Memorials, Death - Douglas Wayne Buckles. by \*Crowe, \*Lundberg.

**\*Senate Joint Resolution No. 1349** -- Memorials, Sports - Coach Jason Shay. by \*Crowe.

**\*Senate Joint Resolution No. 1350** -- Memorials, Recognition - Tanya Tucker, Grammy Award for Best Country Album. by \*Crowe.

**\*Senate Joint Resolution No. 1351** -- Memorials, Recognition - Ramona Hood. by \*Akbari.

**\*Senate Joint Resolution No. 1359** -- Memorials, Professional Achievement - Jay Yeargin, 2020 Tennessee Farmer of the Year. by \*Stevens.

**\*Senate Joint Resolution No. 1360** -- Memorials, Academic Achievement - Joy Griffin, Salutatorian, Austin-East Magnet High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1361** -- Memorials, Academic Achievement - Samaya Baljepally, Valedictorian, Bearden High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1362** -- Memorials, Academic Achievement - Parker Martz, Salutatorian, Bearden High School. by \*Massey, \*Briggs.

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**\*Senate Joint Resolution No. 1363** -- Memorials, Academic Achievement - Gracie Taylor, Valedictorian, Career Magnet Academy. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1364** -- Memorials, Academic Achievement - Victoria Sozonyuk, Salutatorian, Career Magnet Academy. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1365** -- Memorials, Academic Achievement - Eva Tolliver, Valedictorian, Carter High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1366** -- Memorials, Academic Achievement - Faith Andrew, Co-Salutatorian, Carter High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1367** -- Memorials, Academic Achievement - Abygale Dixon, Co-Salutatorian, Carter High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1368** -- Memorials, Academic Achievement - Joe Brown, Co-Valedictorian, Central High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1369** -- Memorials, Academic Achievement - Lauren Turrentine, Co-Valedictorian, Central High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1370** -- Memorials, Academic Achievement - Amanda McDonald, Salutatorian, Central High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1371** -- Memorials, Academic Achievement - Alisha Soni, Valedictorian, Farragut High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1372** -- Memorials, Academic Achievement - Prajwal Jagadish, Co-Salutatorian, Farragut High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1373** -- Memorials, Academic Achievement - Jessey Yang, Co-Salutatorian, Farragut High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1374** -- Memorials, Academic Achievement - Chloe Hammock, Valedictorian, Fulton High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1375** -- Memorials, Academic Achievement - Thomas Barnett, Co-Salutatorian, Fulton High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1376** -- Memorials, Academic Achievement - Hannah Hobby, Co-Salutatorian, Fulton High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1377** -- Memorials, Academic Achievement - Micayla Domingues, Co-Valedictorian, Gibbs High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1378** -- Memorials, Academic Achievement - Nisi Powers, Co-Valedictorian, Gibbs High School. by \*Massey, \*Briggs.

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**\*Senate Joint Resolution No. 1379** -- Memorials, Academic Achievement - Savanna Leath, Salutatorian, Gibbs High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1380** -- Memorials, Academic Achievement - Carly Minhinnett, Valedictorian, Halls High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1381** -- Memorials, Academic Achievement - Justin McKnight, Co-Salutatorian, Halls High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1382** -- Memorials, Academic Achievement - Gavin Pretorius, Co-Salutatorian, Halls High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1383** -- Memorials, Academic Achievement - Victoria Hart, Valedictorian, Hardin Valley Academy. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1384** -- Memorials, Academic Achievement - Benjamin Hancock, Salutatorian, Hardin Valley Academy. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1385** -- Memorials, Academic Achievement - Noah Kelley, Valedictorian, Karns High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1386** -- Memorials, Academic Achievement - Breton Stanley, Salutatorian, Karns High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1387** -- Memorials, Academic Achievement - Raymond Wysmierski, Co-Valedictorian, L&N STEM Academy. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1388** -- Memorials, Academic Achievement - Alex Yarkhan, Co-Valedictorian, L&N STEM Academy. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1389** -- Memorials, Academic Achievement - Logan O'Neal, Co-Salutatorian, L&N STEM Academy. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1390** -- Memorials, Academic Achievement - Josephine Bresler, Co-Salutatorian, L&N STEM Academy. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1391** -- Memorials, Academic Achievement - Robert Pass, Valedictorian, Powell High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1392** -- Memorials, Academic Achievement - Christopher Conway, Co-Salutatorian, Powell High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1393** -- Memorials, Academic Achievement - Savannah Shelley, Co-Salutatorian, Powell High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1394** -- Memorials, Academic Achievement - Adam McDaniel, Valedictorian, South-Doyle High School. by \*Massey, \*Briggs.

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**\*Senate Joint Resolution No. 1395** -- Memorials, Academic Achievement - Ava Mosadegh, Salutatorian, South-Doyle High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1396** -- Memorials, Academic Achievement - Iris Zaretzki, Valedictorian, West High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1397** -- Memorials, Academic Achievement - Reed Cooper, Co-Salutatorian, West High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1398** -- Memorials, Academic Achievement - Lucy Page, Co-Salutatorian, West High School. by \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 1399** -- Memorials, Academic Achievement - Eliza Croom, Valedictorian, Austin-East Magnet High School. by \*Massey, \*Briggs.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar No. 1 and No. 2 be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 89  
Noes ..... 0

Representatives voting aye were: Baum, Beck, Bricken, Byrd, Calfee, Carr, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

A motion to reconsider was tabled.

**PRESENT IN CHAMBER**

Rep. Parkinson was recorded as being present in the Chamber.

**REGULAR CALENDAR FROM JUNE 17, 2020, CONTINUED**

**\*House Bill No. 2263** -- Abortion - As introduced, extends the time, from 30 to 60 days, within which a physician accused of performing a partial-birth abortion may delay trial in order to

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allow the state medical board to determine whether the physician's conduct was necessary to save the life of the mother. - Amends TCA Section 37-10-304 and Title 39, Chapter 15, Part 2. by \*Lamberth, \*Gant, \*Lynn, \*Van Huss, \*Littleton, \*Hill M, \*Moody, \*Holt, \*Weaver, \*Howell, \*Leatherwood, \*Sherrell, \*Carr, \*Zachary, \*Hurt, \*Cepicky, \*Crawford, \*Ragan, \*Williams, \*Grills, \*Cochran, \*Doggett, \*Byrd, \*Powers, \*Tillis, \*Baum, \*Calfee, \*Rudder, \*Rudd, \*Eldridge, \*Bricken, \*Ogles, \*Helton, \*Russell, \*Hawk, \*Kumar. (SB2196 by \*Johnson, \*Gresham, \*Lundberg, \*Powers, \*Reeves, \*Stevens, \*White)

Rep. Lynn moved that House Bill No. 2263 be passed on third and final consideration.

Rep. Helton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Helton moved that Health Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Helton moved to reconsider the House action in withdrawing House Amendment No. 1, which motion prevailed.

Rep. Helton moved adoption of Health Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2263 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-10-304(c)(2), is amended by deleting the subdivision.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 15, Part 2, is amended by adding the following as new sections:

**39-15-214.**

(a) Findings. The general assembly finds:

(1) As the Supreme Court has stated in *Planned Parenthood v. Casey*, 505 U.S. 833, 852 (1992), "Abortion is a unique act" and is "fraught with consequences...for the woman who must live with the implications of her decision." As the Supreme Court stated in *Gonzales v. Carhart*, 550 U.S. 124, 159 (2007) "it seems unexceptionable to conclude some women come to regret their choice to abort the infant life they once created and sustained. Severe depression and loss of esteem can follow." The Supreme Court has acknowledged, in *Casey* at 882, that the effect of an abortion on the life of the unborn child is "relevant, if not dispositive" information for the patient's decision;

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(2) Current standards of medical care mandate the performance of an ultrasound prior to the performance of inducing of an abortion. Determining accurate information regarding gestational development is important for purposes of informed consent, as well as making essential preparation for the procedure itself;

(3) In this state ultrasounds are regularly provided to women seeking an abortion to determine if they are eligible for a medication abortion, and to review other factors related that cannot be determined prior to an examination of the patient;

(4) In the forty-seven (47) years since the United States Supreme Court's ruling in Roe v. Wade, 410 U.S. 113 (1973), there have been substantial advances in scientific methods and medical technology that have significantly expanded knowledge and understanding of prenatal life and development, and the effects of abortion on the physical and psychological health of women;

(5) At conception, a new and genetically distinct human being is formed;

(6) The state has a legitimate, substantial, and compelling interest in protecting the rights of all human beings, including the fundamental and absolute right of unborn human beings to life, liberty, and all rights protected by the Fourteenth and Ninth Amendments to the United States Constitution;

(7) The presence of a fetal heartbeat is medically significant because the heartbeat is a discernible sign of life at every stage of human existence;

(8) An unborn child's heart begins to beat at five (5) weeks gestational age, and blood begins to flow during the sixth week;

(9) Depending on what type of equipment is utilized, an unborn child's heartbeat can be detected as early as six (6) to eight (8) weeks gestational age;

(10) An unborn child's heartbeat can consistently be made audible using a handheld Doppler fetal heart rate device by twelve (12) weeks gestational age;

(11) A pregnancy can be confirmed through the detection of the unborn child's heartbeat;

(12) By the beginning of the second trimester, physicians view the absence of a fetal heartbeat as an instance of fetal death;

(13) It is standard medical practice to monitor an unborn child's heartbeat throughout pregnancy and labor to measure the heart rate and rhythm of the unborn child, which averages between one hundred ten (110) and one hundred sixty (160) beats per minute. This monitoring is used as an indicator of the health of the unborn child;

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(14) Since the Supreme Court's decision in Roe v. Wade, medical professionals have expanded their understanding of life in utero to include, among other indicia, the presence of a heartbeat, brain development, a viable pregnancy or viable intrauterine pregnancy during the first trimester of pregnancy, and the ability to experience pain;

(15) The presence of a fetal heartbeat is the best indicator of a viable pregnancy. The detectability of a fetal heartbeat is a strong predictor of survivability to term, especially if the heartbeat is present at eight (8) weeks gestational age or later;

(16) When a fetal heartbeat is detected between eight (8) and twelve (12) weeks gestational age, the rate of miscarriage is extremely low, with approximately ninety eight percent (98%) of naturally conceived pregnancies carrying to term;

(17) At eight (8) weeks gestational age, an unborn child begins to show spontaneous movements, and reflexive responses to touch. The majority of an unborn child's body is responsive to touch by fourteen (14) weeks gestational age;

(18) Peripheral cutaneous sensory receptors, which are the receptors that feel pain, develop in an unborn child at around seven (7) to eight (8) weeks gestational age. Sensory receptors develop in the palmar regions during the tenth week of gestational age, growing throughout the unborn child's body by sixteen (16) weeks gestational age;

(19) An unborn child's nervous system is established by six (6) weeks gestational age. At this stage, the basic patterning of the early nervous system is in place and is the basis for tremendous growth and increased complexity built upon this basic pattern. The earliest neurons of the cortical brain, responsible for thinking, memory, and higher level functions, are established by the fourth week;

(20) Synapses are formed in the seventh week, and the neural connections for the most primitive responses to pain are in place by ten (10) weeks gestation;

(21) Substance P, a peptide functioning as a neurotransmitter in the transmission of pain, is present in the spinal cord of an unborn child at eight (8) weeks gestational age, while enkephalin peptides, which serve as neurotransmitters in pain modulation, are present at twelve (12) to fourteen (14) weeks gestational age;

(22) There is significant evidence, based on peer-reviewed scientific studies, that unborn children are capable of experiencing pain by no later than twenty (20) weeks gestational age. Pain receptor nerves are already present throughout the human body by twenty (20) weeks gestation, and the cortex, which begins development at eight (8) weeks, has a full complement of neurons at twenty (20) weeks;

(23) There is evidence that an unborn child is capable of feeling pain as early as twelve (12) to fifteen (15) weeks gestational age. The scientific evidence shows that significant cortical neuronal connections are in place by ten (10) to twelve (12) weeks gestation, and that connections between the spinal cord and thalamus are nearly complete by twenty (20) weeks gestation;

(24) A growing body of medical evidence and literature supports the conclusion that an unborn child may feel pain from around eleven (11) to twelve (12) weeks gestational age, or even as early as five and a half (5 ½) weeks. At only eight (8) weeks gestation, an unborn child exhibits reflexive movement during invasive procedures resulting from spinal reflex neuro pathways, showing that the unborn child reacts to noxious stimuli with avoidance reactions and stress responses. By sixteen (16) weeks gestational age, pain transmission from a peripheral receptor to the cortex is possible. Significant evidence also shows hormonal stress responses by unborn children as early as eighteen (18) weeks;

(25) Mothers considering abortion express concern over the medical information on fetal neurological development and an unborn child's ability to feel pain while in utero, and providing this information to mothers who are considering abortion is an important part of empowering mothers to make a fully-informed choice on whether or not to seek an abortion;

(26) Medical evidence shows that younger infants are hypersensitive to pain. Neuronal mechanisms that inhibit or moderate pain sensations do not begin to develop until thirty-four (34) to thirty-six (36) weeks gestation and are not complete until a significant time after birth. Newborn and preterm infants are hyperresponsive to pain compared to adults or older infants;

(27) The recognition of fetal pain has led to improvements and changes in how physicians approach fetal surgery and fetal anesthesia. The presence of neural connections and the ability to feel pain as early as the fifteenth week now necessitate treating the unborn child as a separate patient from the mother for purposes of utilizing direct analgesia to fetal patients, who clearly elicit stress responses to pain;

(28) Fetal surgeons at specialized units in St. Louis, Nashville, Cincinnati, Kansas City, Boston, and elsewhere, in response to their recognition of fetal pain, routinely use anesthesia and analgesia for unborn and premature infants undergoing surgery as young as eighteen (18) weeks gestation;

(29) The leading textbook on clinical anesthesia recognizes the significant body of evidence indicating the importance of mitigating fetal stress responses to pain stimuli. It is presumed that an unborn child's ability to fully experience pain occurs between twenty (20) and thirty (30) weeks, and that the fetal experience of pain may be even greater than that of term neonate or young children due to the immaturity of neurodevelopment that helps inhibit pain;

(30) Mothers considering abortion express concern over the medical information on fetal neurological development and an unborn child's ability to feel pain while in utero;

(31) The infliction of unnecessary pain upon a living being is generally prohibited by state and federal law. The legislature has prohibited the unnecessary infliction of pain on living beings in a variety of circumstances in an effort to protect the innocent from harm;

(32) The life of an unborn child is recognized and protected from violence by federal law and by the laws of most states. The killing of an unborn child is considered homicide in thirty-eight (38) states, with at least twenty-eight (28) of those states criminalizing the act from conception. Nearly every state and the District of Columbia have wrongful death statutes that allow for liability and recovery for the death of an unborn child or subsequent death of an infant who is born and later dies because of injuries caused while in utero;

(33) The United States Supreme Court created the viability standard for evaluating abortion-related laws and regulations in *Roe v. Wade*, 410 U.S. 113 (1973), and reaffirmed this approach in *Planned Parenthood v. Casey*, 505 U.S. 833 (1992);

(34) At the time *Roe v. Wade* was decided, the court recognized that viability was not likely until approximately twenty-eight (28) weeks gestational age;

(35) Since the Supreme Court's decisions in *Roe v. Wade* and *Planned Parenthood v. Casey*, advances in science, technology, and treatment methods have resulted in children surviving and thriving at younger preterm ages than ever before;

(36) In recent years, scientific advances and advances in neonatal care of lowered the gestational limits of survivability well into the second trimester;

(37) The age at which a preterm infant can survive has decreased from twenty-eight (28) weeks to less than twenty-two (22) weeks. Survival of preterm infants has increased significantly over time assuming physicians provide active care for the young infants, lowering the age of survival from twenty-eight (28) weeks to twenty-four (24) weeks. Moreover, infants born as early as twenty-two (22) weeks can survive with the provision of care and treatment. The youngest preterm infant to survive was born at only twenty-one (21) weeks and four (4) days;

(38) In 1978, the first infants weighing less than seven hundred fifty (750) grams were successfully ventilated;

(39) By the 1990s, survival of infants born weighing between five hundred (500) and seven hundred (700) grams, roughly between twenty-four (24) to twenty-six (26) weeks, became possible;

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(40) Technological developments in the 1980s and 1990s, such as improved tracheal instillation of surfactant for respiratory distress syndrome and antenatal corticosteroids, resulted in survival of infants born between twenty-three (23) to twenty-four (24) weeks;

(41) In recent years, resuscitation and survival of infants born weighing less than four hundred (400) grams, or approximately twenty-two (22) to twenty-three (23) weeks gestational age, has further decreased the age of viability;

(42) The provision of active prenatal and postnatal care has significantly increased the number of prematurely born children who survive until hospital discharge;

(43) Abortions performed at any gestational age pose a risk to the mother. Abortion increases the risks of subsequent preterm birth and placenta previa, life-threatening hemorrhage, postpartum hemorrhage, and cesarean delivery;

(44) Abortions performed later in pregnancy pose an even higher medical risk to the health and life of women, with the relative risk increasing exponentially at later gestational ages after eight (8) weeks gestational age;

(45) The relative risk of death for pregnant women who had an abortion performed or induced upon her at eleven (11) to twelve (12) weeks gestational age is between three (3) and four (4) times higher than an abortion at eight (8) weeks gestational age or earlier;

(46) The relative risk of death for pregnant women who had an abortion performed or induced upon her at thirteen (13) to fifteen (15) weeks gestational age is almost fifteen (15) times higher than an abortion at eight (8) weeks gestational age or earlier;

(47) The relative risk of death for pregnant women who had an abortion performed or induced upon her at sixteen (16) to twenty (20) weeks gestational age is almost thirty (30) times higher than an abortion at eight (8) weeks gestational age or earlier;

(48) The relative risk of death for pregnant women who had an abortion performed or induced upon her at twenty-one (21) weeks gestational age or later is more than seventy-five (75) times higher than an abortion at eight (8) weeks gestational age or earlier;

(49) Women who have an abortion suffer from post-traumatic stress disorder at a rate slightly higher than veterans of the Vietnam war. Women who have an abortion have an eighty one percent (81%) increased risk of mental trauma after an abortion. Abortion has been shown to correlate with many other mental health disorders as well;

(50) The United States is one of only seven (7) countries in the world that permits elective abortion past twenty (20) weeks;

(51) Only seventeen (17) countries permit abortion without any restriction beyond week twelve (12) weeks gestational age;

(52) The United States is an outlier within the international community related to the regulation of abortion. Of the countries that permit elective abortion, nine (9) limit elective abortion before the twelfth week of gestation, thirty-six (36) limit elective abortion at twelve (12) weeks gestation, six (6) limit elective abortion between twelve (12) and twenty (20) weeks gestation, and only seven (7) permit elective abortion past twenty (20) weeks or have no gestational limit;

(53) The historical development of abortion is undeniably tied to bias and discrimination by some organizations, leaders, and policies towards impoverished and minority communities, including the imposition of forced sterilization of the intellectually disabled, poor, minority, and immigrant women. These historic policies should be rejected and left on the ash heap of history;

(54) As Justice Clarence Thomas wrote in his opinion concurring in the denial of certiorari in *Box v. Planned Parenthood of Indiana and Kentucky, Inc.*, 139 S. Ct. 1780, 1783 (2019), "the use of abortion to achieve eugenic goals is not merely hypothetical." This historical practice of abortion was rooted not in equality but in discrimination based on age, sex, and disability;

(55) In the early twentieth century, the eugenics movement had grown popular across elite institutions in the United States, with many distinguishing between so-called fit and unfit individuals along racial lines and expressing concern over the increased birth-rate among non-white populations. Such abhorrent distinctions were also made between able-bodied persons and persons eugenicists referred to as "feeble-minded," "deformed," "diseased," blind, deaf, or "dependent," a term used to include orphans and the poor. Laws were adopted prohibiting marriages between the disabled and other "unfit" individuals and requiring their sterilization. More than sixty thousand (60,000) people were involuntarily sterilized between 1907 and 1983;

(56) Planned Parenthood founder Margaret Sanger argued in the early twentieth century that birth control would open the way to the eugenicist. Sanger argued that birth control could be used to reduce the "ever increasing, unceasingly spawning class of human beings who never should have been born at all;

(57) This argument was later adopted by abortion advocates, such as Planned Parenthood President Alan Guttmacher, who endorsed abortion for eugenic purposes. Guttmacher argued in the 1950's that abortion should be used to prevent the birth of disabled children. Legal scholar Glanville Williams, whose book was cited in the majority opinion in *Roe v. Wade*, argued in a book published

in the 1950's that a "eugenic killing by a mother . . . cannot confidently be pronounced immoral;

(58) Some continue to support the goal of reducing undesirable populations through selective reproduction;

(59) Today, the individualized nature of abortion creates a significant risk that prenatal screening tests and new technologies will be used to eliminate children with unwanted characteristics;

(60) There is substantial evidence from across the globe and in the United States that the elimination of children with unwanted characteristics is already occurring. The abortion rate for children diagnosed with Down syndrome in utero approaches one hundred percent (100%) in Iceland, ninety eight percent (98%) in Denmark, ninety percent (90%) in the United Kingdom, and seventy seven percent (77%) in France. Even in the United States, the abortion rate for children with Down Syndrome is sixty seven percent (67%). Widespread sex-selective abortions in Asia have led to as many as one hundred sixty (160) million "missing" women. In India, as a result of the abortion of 300,000-700,000 female unborn children each year over several decades, there are currently about fifty (50) million more men than women in the country. Recent evidence also suggests that sex-selective abortions of girls are common among certain populations in the United States;

(61) Sex-selective abortion results in an unnatural sex ratio imbalance that can impede members of the numerically predominant sex from finding partners, encourage the commoditization of humans in the form of human trafficking, and create other societal harms. Sex-selective abortion also reinforces discriminatory and sexist stereotypes toward women by devaluing and dehumanizing females;

(62) In this state, from 2008 through 2017, the rate of abortion per one thousand (1,000) women was nearly four (4) times higher for nonwhite women than white women, with a rate of 7.6 on average for all women, 4.6 for white women, and 16.0 for nonwhite women. The ratio of abortions to one thousand (1,000) live births in this state from 2008-2017 was nearly three (3) times higher for nonwhite women than white women, with an average of 138.2 for all women, 85.1 for white women, and 294.4 for nonwhite women;

(63) The use of abortion as a means to prefer one (1) sex over another or to discriminate based on disability or race is antithetical to the core values equality, freedom, and human dignity enshrined in both the United States and Tennessee Constitutions. The elimination of bias and discrimination against pregnant women, their partners, and their family members, including unborn children, is a fundamental obligation of government in order to guarantee those who are, according to the Declaration of Independence, "endowed by their Creator with certain unalienable Rights" can enjoy "Life, Liberty, and the pursuit of Happiness";

(64) This state has historically protected its interest in preserving the integrity of the medical profession by enacting a comprehensive statutory framework for ensuring the integrity of the medical profession in title 63;

(65) The general assembly first adopted an act creating the Board of Medical Examiners in 1901, with the mission to protect the health, safety, and welfare of the people of this state and to ensure the highest degree of professional conduct;

(66) As the Supreme Court of the United States acknowledged in *Gonzales v. Carhart*, 550 U.S. 124, 157 (2007) (citing *Washington v. Glucksberg*, 521 U.S. 702, 731 (1997)), “the government has an interest in protecting the integrity and ethics of the medical profession.” Under U.S. Supreme Court precedents, it is clear the State has a significant role to play in regulating the medical profession;

(67) Physician involvement in medical practices that cause fetal pain has been rejected by the international community;

(68) Physician involvement in medical practices that facilitate discrimination is antithetical to the United States and Tennessee constitutions’ affirmation of equal protection under the law;

(69) The integrity and public respect of the medical profession are significantly harmed by physician involvement in practices that have been rejected by the international community, facilitate discrimination, or otherwise create a disdain for life;

(70) This state has a legitimate, substantial, and compelling interest in valuing and protecting unborn children;

(71) This state has a legitimate, substantial, and compelling interest in protecting the physical and mental health of the mother;

(72) This state has a legitimate, substantial, and compelling interest in promoting human dignity;

(73) This state has a legitimate, substantial, and compelling interest in encouraging childbirth over abortion;

(74) This state has a legitimate, substantial, and compelling interest in safeguarding an unborn child from the serious harm of pain by an abortion method that would cause the unborn child to experience pain;

(75) This state has a legitimate, substantial, and compelling interest in resolving untenable inconsistencies and incongruities in state law which permits some unborn children to be killed by abortion, while requiring that unborn children be protected and valued in non-abortion circumstances including, but not limited to,

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criminal provisions related to the infliction of harms against persons, state programs intended to aid prenatal healthcare, and state sponsored healthcare for unborn children;

(76) This state has a legitimate, substantial, and compelling interest in protecting the integrity and ethics of the medical profession, including by prohibiting medical practices that might cause the medical profession to become insensitive, even disdainful, to life, including the life of the unborn child; and

(77) This state has a legitimate, substantial, and compelling interest in preventing discrimination.

(b) Purpose.

(1) The purpose of this section is to provide legislative intent and reasoning underlying the enactment of laws to protect maternal health, and to preserve, promote, and protect life and potential life throughout pregnancy, including, but not limited to, §§ 39-15-215-- 39-15-217.

(2) The unique nature of abortion and its potential physical and mental health risks, as well as the ultimate result of the death of an unborn child, necessitates that this state ensure every woman considering an abortion is provided with adequate comprehensive information before deciding to obtain an abortion. The mandatory provision of an ultrasound prior to the abortion substantially furthers this compelling state interest.

(3) The presence of a fetal heartbeat is a medically significant indicator of life and the potential successful development of an unborn child. This state's legitimate, substantial, and compelling interest in protecting unborn children warrants the restriction of abortion in cases where the heartbeat is detectable.

(4) The unnecessary infliction of pain upon the life of an unborn child is inconsistent with Tennessee law that would otherwise protect the life and health of an unborn child, undermines the integrity of and public trust in the medical profession, and conflicts with the this state's legitimate, substantial, and compelling interest in protecting the life of an unborn child, protecting the integrity of the medical profession, resolving the conflict in state laws intended to protect the health of the unborn child, and protecting the life, physical health, and mental health of women. Therefore, it is necessary to enact protections against the infliction of pain, and death, upon an unborn child who is capable of experiencing pain.

(5) Advances in science and medical practice have decreased the gestational age of an unborn child's viability to survive. This state's legitimate, substantial, and compelling interest in protecting the life of an unborn child, protecting the integrity of the medical profession, resolving the conflict in state laws intended to protect the health of the unborn child, and protecting the life, physical

health, and mental health of women require the enactment of a series of gestational age restrictions on the provision of an abortion.

(6) The historical use of abortion as a means to discriminatory ends is fundamentally objectionable and conflicts with this state's legitimate, substantial, and compelling interest in preventing discrimination and discriminatory practices. Therefore, it is necessary for this state to enact protections that prevent sex, racial, and disability discrimination against unborn children.

(7) Life begins at conception, and nothing in this act shall be interpreted or construed to suggest that it is the intent or purpose of the legislature to condone abortion of an unborn child at any time after conception. The legislature specifically acknowledges the provisions of § 39-15-213 that will prohibit all abortion effective on the thirtieth day after issuance of a judgment overruling, in whole or in part, *Roe v. Wade*, as modified by *Planned Parenthood v. Casey*, or adoption of an amendment to the Constitution, restoring state authority to prohibit abortion.

**39-15-215.**

(a) As used in this section:

(1) "Abortion" has the same meaning as defined in § 39-15-211;

(2) "Auscultate" means to examine by listening for sounds made by internal organs of the fetus, including a fetal heartbeat, in accordance with standard medical practice utilizing current medical technology and methodology;

(3) "Gestational age" or "gestation" has the same meaning as defined in § 39-15-211;

(4) "Medical emergency" has the same meaning as defined in § 39-15-211; provided, that a medical emergency does not include a claim or diagnosis related to the woman's mental health or a claim or diagnosis that the woman will engage in conduct which would result in her death or substantial and irreversible impairment of a major bodily function;

(5) "Obstetric ultrasound" or "ultrasound" means the use of ultrasonic waves for diagnostic or therapeutic purposes, specifically to monitor a developing fetus; and

(6) "Ultrasound technician" means a person at least eighteen (18) years of age who:

(A) Has earned a technical certificate from a sonography program accredited by the Commission on Accreditation of Allied

Health Education Programs (CAAHEP) or Canadian Medical Association (CMA);

(B) Is currently certified by the American Registry for Diagnostic Medical Sonography (ARDMS) in the specialty in which the person is currently practicing;

(C) Is currently certified by the American Registry of Radiologic Technologists (ARRT) in sonography;

(D) Is in the process of applying for registration with the ARDMS, provided that the applicant satisfies the requirements for registration within ninety (90) days of becoming employed as a sonographer; or

(E) Is in the process of applying for registration with the ARRT, provided that the applicant satisfies the requirements for registration within ninety (90) days of becoming employed as a sonographer.

(b) Prior to a pregnant woman giving informed consent to having an abortion, as required by § 39-15-202, the physician who is performing or inducing, or attempting to perform or induce, an abortion, shall:

(1) Determine the gestational age of the unborn child in accordance with generally accepted standards of medical practice;

(2) Inform the pregnant woman the gestational age of the unborn child;

(3) Perform an obstetric ultrasound in accordance with generally accepted standards of medical practice using current medical technology and methodology applicable to the gestational age of the unborn child and reasonably calculated to determine whether a fetal heartbeat exists;

(4) Auscultate the fetal heartbeat of the unborn child, if any, so that the pregnant woman may hear the heartbeat if the heartbeat is audible;

(5) Provide a simultaneous explanation of what the ultrasound is depicting, which must include the presence and location of the unborn child within the uterus, the dimensions of the unborn child, the presence of external members and internal organs if present and viewable, the number of unborn children depicted, and, if the ultrasound image indicates that fetal demise has occurred, inform the woman of that fact;

(6) Display the ultrasound images so that the pregnant woman may view the images;

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(7) Record in the pregnant woman's medical record the presence or absence of a fetal heartbeat, the method used to test for the fetal heartbeat, the date and time of the test, and the estimated gestational age of the unborn child; and

(8) Obtain from the pregnant woman prior to performing or inducing, or attempting to perform or induce, an abortion, a signed certification that the pregnant woman was presented with the information required to be provided under this subsection (b), that the pregnant woman viewed the ultrasound images or declined to do so, and that the pregnant woman listened to the heartbeat if the heartbeat was audible or declined to do so. The signed certification must be in addition to any other documentation requirements under this part and must be on a form prescribed by the commissioner of health and be retained in the woman's medical record.

(c)

(1) The physician who is to perform or induce, or attempt to perform or induce, an abortion may delegate the responsibility to perform the obstetric ultrasound to an ultrasound technician, provided that the ultrasound technician is qualified and permitted by law to perform an obstetric ultrasound that complies with the requirements of subsection (b). An ultrasound technician performing an obstetric ultrasound under this subdivision (c)(1) shall perform the obstetric ultrasound in a manner that complies with subsection (b), and the physician may rely on the signed certification obtained by the qualified technician under subdivision (b)(8) to establish that an ultrasound was performed in compliance with this section, unless the physician knows, or in the exercise of reasonable care should know, that an ultrasound was not performed in accordance with this section.

(2) The physician who is to perform or induce, or attempt to perform or induce, an abortion may accept a certification from a referring physician that the referring physician has performed an obstetric ultrasound that complies with the requirements of subsection (b). The referring physician performing an obstetric ultrasound under this subdivision (c)(2) shall perform the obstetric ultrasound in a manner that complies with subsection (b), and the physician may rely on the signed certification obtained by the referring physician under subdivision (b)(8) to establish that an ultrasound was performed in compliance with this section, unless the physician knows, or in the exercise of reasonable care should know, that an ultrasound was not performed in accordance with this section.

(d) When the ultrasound images and heartbeat sounds are provided to and reviewed with the pregnant woman, this section shall not be construed to prevent the pregnant woman from averting her eyes from the ultrasound images or requesting the volume of the heartbeat be reduced or turned off if the heartbeat is audible. The physician or ultrasound technician performing the ultrasound shall be



permitted to comply with the request of the pregnant woman. The physician, the ultrasound technician, and the pregnant woman shall not be subject to any penalty if the pregnant woman refuses to look at the displayed ultrasound images or to listen to the heartbeat if the heartbeat is audible.

(e)

(1) Subject to compliance with subdivision (e)(2), it is an affirmative defense to criminal prosecution for a violation of a provision of this section that, in the physician's reasonable medical judgment, a medical emergency prevented compliance with the provision.

(2) In order for the affirmative defense in subdivision (e)(1) to apply, a physician who performs or induces, or attempts to perform or induce, an abortion because of a medical emergency must comply with each of the following conditions unless the medical emergency also prevents compliance with the condition:

(A) The physician who performs or induces, or attempts to perform or induce, the abortion certifies in writing that, in the physician's good faith, reasonable medical judgment, based upon the facts known to the physician at the time, compliance with the provision was prevented by a medical emergency;

(B) The physician certifies in writing the available methods or techniques considered and the reasons for choosing the method or technique employed;

(C) If the unborn child is presumed to be viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician performs or induces, or attempts to perform or induce, the abortion in a hospital. The hospital must have appropriate neonatal services for premature infants unless there is no hospital within thirty (30) miles with neonatal services and the physician who intends to perform or induce the abortion has admitting privileges at the hospital where the abortion is to be performed or induced;

(D) If the unborn child is presumed viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician who performs or induces, or attempts to perform or induce, the abortion terminates or attempts to terminate the pregnancy in the manner that provides the best opportunity for the unborn child to survive, unless that physician determines, in the physician's good faith medical judgment, based upon the facts known to the physician at the time, that the termination of the pregnancy in that manner poses a significantly greater risk of the death of the pregnant woman or a significantly greater risk of the substantial and irreversible

impairment of a major bodily function of the pregnant woman than would other available methods of abortion; and

(E) If the unborn child is presumed viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician who performs or induces, or attempts to perform or induce, the abortion has arranged for the attendance in the same room in which the abortion is to be performed or induced, or attempted to be performed or induced, at least one (1) other physician who is to take control of, provide immediate medical care for, and take all reasonable steps necessary to preserve the life and health of the unborn child immediately upon the child's complete expulsion or extraction from the pregnant woman.

(f) Performing or inducing, or attempting to perform or induce, an abortion in violation of the requirements of this section is a Class C felony.

(g) A violation of subsection (c) by an ultrasound technician or referring physician whose performance of an ultrasound pursuant to subsection (c) is relied upon by a physician in performing or inducing, or attempting to perform or induce, an abortion is a Class E felony.

(h) A pregnant woman upon whom an abortion is performed or induced, or attempted to be performed or induced, in violation of this section is not guilty of violating this section or attempting to commit or conspiring to commit a violation of this section.

(i) When a physician is criminally charged with a violation of this section, the physician shall report the charge to the board of medical examiners in writing within seven (7) calendar days of acquiring knowledge of the charge. The report must include the jurisdiction in which the charge is pending, if known, and must also be accompanied by a copy of the charging documents, if available. A district attorney general shall promptly notify the board of medical examiners when a physician is charged with a violation of this section.

(j) If any provision or provisions of this section or the application thereof to any person, circumstance, or period of gestational age is found to be unenforceable, unconstitutional, or invalid by a court of competent jurisdiction, the same is hereby declared to be severable and the remainder of the section shall remain effective. The general assembly hereby declares that it would have enacted this section and each of its provisions, even if any provision of this section or the application thereof to any person, circumstance, or period of gestational age is later found to be unenforceable, unconstitutional, or invalid.

(k)

(1) It is the specific intent of the general assembly in this section to exercise to the greatest extent permitted by law the legitimate, substantial, and compelling state interest in protecting maternal health, and in preserving, promoting, and protecting life and potential life throughout pregnancy by enacting more protective requirements than provided for under this part as it existed prior to the effective date of this act.

(2) When this section is in direct conflict with this part as it existed prior to the effective date of this act, the more protective requirements of this section control over any less protective provision in this part. This section shall not be construed as a repeal, either express or implied, of any provision of this part as it existed prior to the effective date of this act.

(3) The general assembly specifically intends that this part as it existed prior to the effective date of this act shall remain and be enforceable if, and for so long as, any provisions of this section, or any part or parts thereof, are enjoined or otherwise barred by a court of competent jurisdiction.

(4) This section does not repeal or modify in any way § 39-15-213, as enacted by Public Chapter 351 of 2019, which shall control upon becoming effective. This section shall remain and be enforceable if, and for so long as, any provisions of § 39-15-213, or any part or parts thereof, are enjoined or otherwise barred by a court of competent jurisdiction.

**39-15-216.**

(a) As used in this section:

(1) "Abortion" has the same meaning as defined in § 39-15-211;

(2) "Fetal heartbeat" means cardiac activity or the steady and repetitive rhythmic contraction of the heart of an unborn child;

(3) "Gestational age" or "gestation" has the same meaning as defined in § 39-15-211;

(4) "Medical emergency" has the same meaning as defined in § 39-15-211; provided, that a medical emergency does not include a claim or diagnosis related to the woman's mental health or a claim or diagnosis that the woman will engage in conduct which would result in her death or substantial and irreversible impairment of a major bodily function;

(5) "Unborn child" has the same meaning as defined in § 39-15-211;  
and

(6) "Viable" has the same meaning as defined in § 39-15-211.

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(b)

(1) Before performing or inducing, or attempting to perform or induce, an abortion, the physician shall determine the gestational age of the unborn child in accordance with generally accepted standards of medical practice.

(2) A violation of subdivision (b)(1) is a Class C felony.

(c)

(1) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child has a fetal heartbeat. A violation of this subdivision (c)(1) is a Class C felony.

(2) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is six (6) weeks gestational age or older unless, prior to performing or inducing the abortion, or attempting to perform or induce the abortion, the physician affirmatively determines and records in the pregnant woman's medical record that, in the physician's good faith medical judgment, the unborn child does not have a fetal heartbeat at the time of the abortion. In making the good faith medical determination, the physician shall utilize generally accepted standards of medical practice using current medical technology and methodology applicable to the gestational age of the unborn child and reasonably calculated to determine the existence or non-existence of a fetal heartbeat. A violation of this subdivision (c)(2) is a Class C felony.

(3) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is eight (8) weeks gestational age or older. A violation of this subdivision (c)(3) is a Class C felony.

(4) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is ten (10) weeks gestational age or older. A violation of this subdivision (c)(4) is a Class C felony.

(5) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is twelve (12) weeks gestational age or older. A violation of this subdivision (c)(5) is a Class C felony.

(6) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is fifteen (15) weeks gestational age or older. A violation of this subdivision (c)(6) is a Class C felony.

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(7) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is eighteen (18) weeks gestational age or order. A violation of this subdivision (c)(7) is a Class C felony.

(8) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is twenty (20) weeks gestational age or older. A violation of this subdivision (c)(8) is a Class C felony.

(9) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is twenty-one (21) weeks gestational age or older. A violation of this subdivision (c)(9) is a Class C felony.

(10) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is twenty-two (22) weeks gestational age or older. A violation of this subdivision (c)(10) is a Class C felony.

(11) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is twenty-three (23) weeks gestational age or older. A violation of this subdivision (c)(11) is a Class C felony.

(12) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman whose unborn child is twenty-four (24) weeks gestational age or older. A violation of this subdivision (c)(12) is a Class C felony.

(d)

(1) A person shall not be convicted of violating more than one (1) subdivision of subsection (c) for any one (1) abortion that the person performed, induced, or attempted to perform or induce.

(2) This section does not permit the abortion of a viable unborn child.

(e)

(1) Subject to compliance with subdivision (e)(2), it is an affirmative defense to criminal prosecution for a violation of a provision of this section that, in the physician's reasonable medical judgment, a medical emergency prevented compliance with the provision.

(2) In order for the affirmative defense in subdivision (e)(1) to apply, a physician who performs or induces, or attempts to perform or induce, an abortion because of a medical emergency must comply with each of the following conditions unless the medical emergency also prevents compliance with the condition:

(A) The physician who performs or induces, or attempts to perform or induce, the abortion certifies in writing that, in the physician's good faith, reasonable medical judgment, based upon the facts known to the physician at the time, compliance with the provision was prevented by a medical emergency;

(B) The physician certifies in writing the available methods or techniques considered and the reasons for choosing the method or technique employed;

(C) If the unborn child is presumed to be viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician performs or induces, or attempts to perform or induce, the abortion in a hospital. The hospital must have appropriate neonatal services for premature infants unless there is no hospital within thirty (30) miles with neonatal services and the physician who intends to perform or induce the abortion has admitting privileges at the hospital where the abortion is to be performed or induced;

(D) If the unborn child is presumed viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician who performs or induces, or attempts to perform or induce, the abortion terminates or attempts to terminate the pregnancy in the manner that provides the best opportunity for the unborn child to survive, unless that physician determines, in the physician's good faith medical judgment, based upon the facts known to the physician at the time, that the termination of the pregnancy in that manner poses a significantly greater risk of the death of the pregnant woman or a significantly greater risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman than would other available methods of abortion; and

(E) If the unborn child is presumed viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician who performs or induces, or attempts to perform or induce, the abortion has arranged for the attendance in the same room in which the abortion is to be performed or induced, or attempted to be performed or induced, at least one (1) other physician who is to take control of, provide immediate medical care for, and take all reasonable steps necessary to preserve the life and health of the unborn child

immediately upon the child's complete expulsion or extraction from the pregnant woman.

(f) A pregnant woman upon whom an abortion is performed or induced, or attempted to be performed or induced, in violation of any provision of this section is not guilty of violating, or of attempting to commit or conspiring to commit a violation of, this section.

(g) When a physician is criminally charged with a violation of this section, the physician shall report the charge to the board of medical examiners in writing within seven (7) calendar days of acquiring knowledge of the charge. The report must include the jurisdiction in which the charge is pending, if known, and must also be accompanied by a copy of the charging documents, if available. A district attorney general shall promptly notify the board of medical examiners when a physician is charged with a violation of this section.

(h) If any provision or provisions of this section or the application thereof to any person, circumstance, or period of gestational age is found to be unenforceable, unconstitutional, or invalid by a court of competent jurisdiction, the same is hereby declared to be severable and the remainder of the section shall remain effective. The general assembly hereby declares that it would have enacted this section and each of its provisions, even if any provision of this section or the application thereof to any person, circumstance, or period of gestational age was later found to be unenforceable, unconstitutional, or invalid.

(i)

(1) It is the specific intent of the general assembly in this section to exercise to the greatest extent permitted by law the legitimate, substantial, and compelling state interest in protecting maternal health, and in preserving, promoting, and protecting life and potential life throughout pregnancy by enacting more protective requirements than provided for under this part as it existed prior to the effective date of this act.

(2) When this section is in direct conflict with this part as it existed prior to the effective date of this act, the more protective requirements of this section control over any less protective provision of this part. This section shall not be construed as a repeal, either express or implied, of any provision of this part as it existed prior to the effective date of this act.

(3) The general assembly specifically intends that this part as it existed prior to the effective date of this act shall remain and be enforceable if, and for so long as, any provisions of this section, or any part or parts thereof, are enjoined or otherwise barred by a court of competent jurisdiction.

(4) This section does not repeal or modify in any way § 39-15-213, as enacted by Public Chapter 351 of 2019, which shall control upon becoming effective. This section shall remain and be enforceable if, and for so long as, any provisions of § 39-15-213, or any part or parts thereof, are enjoined or otherwise barred by a court of competent jurisdiction.

**39-15-217.**

(a) As used in this section:

(1) "Abortion" has the same meaning as defined in § 39-15-211;

(2) "Down syndrome" means a chromosome disorder associated either with an extra chromosome twenty-one or an effective trisomy for chromosome twenty-one;

(3) "Medical emergency" has the same meaning as defined in § 39-15-211; provided, that it does not include a claim or diagnosis related to the woman's mental health or a claim or diagnosis that the woman will engage in conduct which would result in her death or substantial and irreversible impairment of a major bodily function; and

(4) "Unborn child" has the same meaning as defined in § 39-15-211.

(b) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman if the person knows that the woman is seeking the abortion because of the sex of the unborn child.

(c) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman if the person knows that the woman is seeking the abortion because of the race of the unborn child.

(d) A person shall not perform or induce, or attempt to perform or induce, an abortion upon a pregnant woman if the person knows that the woman is seeking the abortion because of a prenatal diagnosis, test, or screening indicating Down syndrome or the potential for Down syndrome in the unborn child.

(e)

(1) Subject to compliance with subdivision (e)(2), it is an affirmative defense to criminal prosecution for a violation of a provision of this section that, in the physician's reasonable medical judgment, a medical emergency prevented compliance with the provision.

(2) In order for the affirmative defense in subdivision (e)(1) to apply, a physician who performs or induces, or attempts to perform or induce, an abortion because of a medical emergency must comply with each of the

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following conditions unless the medical emergency also prevents compliance with the condition:

(A) The physician who performs or induces, or attempts to perform or induce, the abortion certifies in writing that, in the physician's good faith, reasonable medical judgment, based upon the facts known to the physician at the time, compliance with the provision was prevented by a medical emergency;

(B) The physician certifies in writing the available methods or techniques considered and the reasons for choosing the method or technique employed;

(C) If the unborn child is presumed to be viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician performs or induces, or attempts to perform or induce, the abortion in a hospital. The hospital must have appropriate neonatal services for premature infants unless there is no hospital within thirty (30) miles with neonatal services and the physician who intends to perform or induce the abortion has admitting privileges at the hospital where the abortion is to be performed or induced;

(D) If the unborn child is presumed viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician who performs or induces, or attempts to perform or induce, the abortion terminates or attempts to terminate the pregnancy in the manner that provides the best opportunity for the unborn child to survive, unless that physician determines, in the physician's good faith medical judgment, based upon the facts known to the physician at the time, that the termination of the pregnancy in that manner poses a significantly greater risk of the death of the pregnant woman or a significantly greater risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman than would other available methods of abortion; and

(E) If the unborn child is presumed viable under § 39-15-211 or determined to be viable under § 39-15-212, the physician who performs or induces, or attempts to perform or induce, the abortion has arranged for the attendance in the same room in which the abortion is to be performed or induced, or attempted to be performed or induced, at least one (1) other physician who is to take control of, provide immediate medical care for, and take all reasonable steps necessary to preserve the life and health of the unborn child immediately upon the child's complete expulsion or extraction from the pregnant woman.

(f) A violation of subsections (b)-(d) is a Class C felony.

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(g) A pregnant woman upon whom an abortion is performed or induced, or attempted to be performed or induced, in violation of subsections (b)-(d), is not guilty of violating the subsections, or of attempting to commit or conspiring to commit a violation of the subsections.

(h) When a physician is criminally charged with a violation of this section, the physician shall report the charge to the board of medical examiners in writing within seven (7) calendar days of acquiring knowledge of the charge. The report must include the jurisdiction in which the charge is pending, if known, and must also be accompanied by a copy of the charging documents, if available. A district attorney general shall promptly notify the board of medical examiners when a physician is charged with a violation of this section.

(i) If any provision of this section or the application thereof to any person, circumstance, or period of gestational age is found to be unenforceable, unconstitutional, or invalid by a court of competent jurisdiction, the same is hereby declared to be severable and the remainder of this section shall remain effective. The general assembly hereby declares that it would have enacted this section and each of its provisions, even if any provision of this section or the application thereof to any person, circumstance, or period of gestational age was later found to be unenforceable, unconstitutional, or invalid.

(j)

(1) It is the specific intent of the general assembly in this section to exercise to the greatest extent permitted by law the legitimate, substantial, and compelling state interest in protecting maternal health, and in preserving, promoting, and protecting life and potential life throughout pregnancy by enacting more protective requirements than provided for under this part as it existed prior to the effective date of this act.

(2) When this section is in direct conflict with this part as it existed prior to the effective date of this act, the more protective requirements of this section control over any less protective provision in this part. This section shall not be construed as a repeal, either express or implied, of any provision of this part as it existed prior to the effective date of this act.

(3) The general assembly specifically intends that this part as it existed prior to the effective date of this act shall remain and be enforceable if, and for so long as, any provisions of this section, or any part or parts thereof, are enjoined or otherwise barred by a court of competent jurisdiction.

(4) This section does not repeal or modify in any way § 39-15-213, as enacted by Public Chapter 351 of 2019, which shall control upon becoming effective. This section shall remain and be enforceable if, and for

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so long as, any provisions of § 39-15-213, or any part or parts thereof, are enjoined or otherwise barred by a court of competent jurisdiction.

SECTION 3. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. J. Sexton moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Byrd moved the previous question, which motion prevailed.

Rep. Lynn moved that **House Bill No. 2263**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	69
Noes .....	17
Present and not voting .....	2

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Crawford, Curcio, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Tillis, Todd, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--69

Representatives voting no were: Beck, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love, Mitchell, Parkinson, Powell, Shaw, Staples, Stewart--17

Representatives present and not voting were: Lafferty, Thompson--2

A motion to reconsider was tabled.

**\*House Bill No. 1982 -- Domestic Violence -** As introduced, requires a sentencing court to impose a fine of at least \$100 for a person convicted of assault against a domestic abuse victim, This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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subject to the defendant's ability to pay. - Amends TCA Title 39, Chapter 13, Part 1. by \*Hill T, \*Potts, \*Griffey, \*Ogles, \*Moon, \*Doggett, \*Sherrell, \*Parkinson, \*Whitson. (SB2330 by \*White, \*Rose)

On motion, House Bill No. 1982 was made to conform with **Senate Bill No. 2330**; the Senate Bill was substituted for the House Bill.

Rep. T. Hill moved that **Senate Bill No. 2330** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 89  
Noes ..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Cochran, Crawford, Curcio, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

A motion to reconsider was tabled.

**\*House Bill No. 2680** -- Health Care - As introduced, authorizes healthcare facilities to provide an electronic method for insureds or their representatives to acknowledge and sign the statutorily required notice that the insured agrees to receive medical services by an out-of-network provider and will receive a bill for the amount unpaid by the insured's insurer. - Amends TCA Title 33; Title 56; Title 63 and Title 68. by \*Hill T, \*Smith, \*Moody, \*Eldridge, \*White, \*Sherrell, \*Tillis, \*Carr, \*Byrd, \*Hodges, \*Love, \*Hakeem, \*Helton, \*Hardaway, \*Vaughan, \*Baum, \*Carter, \*Powell, \*Hurt, \*Beck, \*Kumar, \*Lamar, \*Crawford, \*Miller, \*Daniel, \*Lafferty, \*Littleton, \*Shaw, \*Freeman, \*Chism, \*Parkinson. (SB2684 by \*Watson)

Rep. T. Hill moved that House Bill No. 2680 be passed on third and final consideration.

Rep. Lynn moved that Pensions and Insurance Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Smith moved adoption of Insurance Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND House Bill No. 2680 by deleting all language after the enacting clause and substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Title 56, is amended by adding the following language as a new chapter:

**56-33-101. Purpose.**

The purpose of this chapter is to alleviate the effects of a "balance bill" received by a patient for healthcare services performed by out-of-network providers. To hold the patient harmless from incurring an unanticipated balance bill, this chapter establishes an independent dispute resolution process that ensures a fair reimbursement for out-of-network services; implements a balance bill prohibition for emergency services in an out-of-network facility and for facility-based non-emergency services; and creates opportunities for transparency and notice to a patient of unexpected medical bills that arise from receiving care from out-of-network providers.

**56-33-102. Chapter definitions.**

As used in this chapter:

(1) "Balance bill" means a bill for healthcare services, other than emergency services, received by:

(A) An enrollee for services rendered by an out-of-network facility-based physician at a participating hospital or ambulatory surgical treatment center, where a participating physician is unavailable or an out-of-network facility-based physician renders services without the enrollee's knowledge, or unforeseen medical services arise at the time the healthcare services are rendered. However, a "balance bill" does not mean a bill received for healthcare services when a participating physician is available and the enrollee has elected to obtain services from an out-of-network facility-based physician;

(B) An enrollee for services rendered by an out-of-network facility-based physician, where the services were referred by a participating physician to an out-of-network facility-based physician without explicit written consent of the enrollee acknowledging that the participating physician is referring the enrollee to an out-of-network facility-based physician and that the referral may result in costs not covered by the health benefit plan; or

(C) A patient who is not insured for services rendered by a physician at a hospital or ambulatory surgical treatment center;

(2) "Carrier" or "health carrier" means a health insurance entity as defined in § 56-7-109;

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(3) "Commissioner" means the commissioner of commerce and insurance;

(4) "Emergency medical condition" has the same meaning as defined in § 56-7-2355;

(5) "Emergency services" has the same meaning as defined in § 56-7-2355;

(6) "Enrollee" means an individual who is eligible to receive medical care through a health benefit plan;

(7) "Health benefit plan" means health insurance coverage as defined in § 56-7-109;

(8) "Healthcare facility" or "facility" means an institution licensed under title 33 or 68;

(9) "Network" means the providers and healthcare facilities that have contracted to provide healthcare services to the enrollees of a health benefit plan, including a network operated by a carrier or a network with which a carrier has contracted;

(10) "Out-of-network facility-based physician" means a physician:

(A) To whom a participating healthcare facility has granted clinical privileges;

(B) Who provides services to patients of the participating healthcare facility pursuant to those clinical privileges;

(C) Who does not have a current contract or provider agreement with the enrollee's health carrier; and

(D) Who is licensed under title 63, chapter 6 or 9; and

(11) "Usual and customary rate" means the average of:

(A) The eightieth percentile of all billed charges for the particular healthcare service performed by a provider in the same or similar specialty that are provided in the same geographical area as reported in a benchmarking database maintained by a nonprofit organization that is specified by the commissioner and not affiliated with, or has ownership interest by, a health carrier or healthcare provider; and

(B) The ninetieth percentile of all contracted rates for the particular healthcare service performed by a provider in the same or similar specialty that are provided in the same geographical area.

**56-33-103. Applicability.**

(a) Except as provided in subsection (b), this chapter applies to health benefit plans, health carriers, out-of-network facility-based physicians, and healthcare facilities. This chapter does not apply to:

(1) Coverage only for a specified disease; specified accident or accident- only coverage; credit, dental, or disability income; hospital indemnity; long-term care insurance, as defined in § 56-42-103; vision care; any other limited supplemental benefit; or to a medicare supplement policy of insurance;

(2) Coverage under a plan through medicare or the Federal Employees Health Benefits Program (FEHB);

(3) TennCare or any successor program; the CoverKids Act of 2006, compiled in title 71, chapter 3, part 11; or the Access Tennessee Act of 2006, compiled in chapter 7, part 29 of this title;

(4) Any coverage issued under 10 U.S.C. §§ 1071-1110b, and any coverage issued as a supplement to that coverage; and

(5) Any self-funded employee welfare plan regulated under the federal Employee Retirement Income Security Act of 1974 (ERISA) (29 U.S.C § 1001 et seq.).

(b) With respect to an entity providing or administering an ERISA self-funded employee welfare plan, this chapter only applies if the plan voluntarily elects to opt-in to the protections afforded by this chapter and be subject to this chapter.

**56-33-104. Independent dispute resolution criteria.**

The commissioner shall establish an independent dispute resolution process by which a dispute for a bill for out-of-network emergency services or a balance bill may be resolved. The commissioner has the power to grant and revoke certifications of independent dispute resolution entities to conduct the dispute resolution process. The commissioner shall promulgate rules establishing standards for the independent dispute resolution process, including a process for certifying and selecting independent dispute resolution entities. An independent dispute resolution entity shall use licensed physicians in active practice in the same or similar specialty as the physician providing the service that is subject to the dispute resolution process of this section. The physician must be licensed and in good standing in this state.

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**56-33-105. Criteria for determining a reasonable fee in an independent dispute resolution.**

(a) In determining the appropriate amount to pay for a healthcare service, an independent dispute resolution entity shall consider all relevant factors, including:

(1) Whether there is a gross disparity between the fee charged by the physician for services rendered as compared to:

(A) Fees paid to the involved physician for the same services rendered by the physician to other patients in health carrier networks in which the physician is not participating, and

(B) In the case of a dispute involving a health carrier, fees paid by the health carrier to reimburse physicians in the same or similar specialty for the same services in the same region who are not participating with the health carrier's network;

(2) The level of training, education, and experience of the physician;

(3) The physician's usual charge for comparable services with regard to patients covered by health carrier networks in which the physician is not participating;

(4) The circumstances and complexity of the particular case, including time and place of the service;

(5) Individual patient characteristics;

(6) The usual and customary rate of the service;

(7) The fiftieth percentile of rates for the service or supply paid to participating physicians in the same or similar specialty and provided in the same geographical area as reported to the benchmarking database maintained by a nonprofit organization that is specified by the commissioner and not affiliated with, or has ownership interest by, an insurance carrier or healthcare provider; and

(8) The recent history of network contracting between the parties.

(b) In determining the appropriate amount to pay for a healthcare service, an independent dispute resolution entity shall not consider:

(1) Any benchmarking database that includes medicare or medicaid reimbursement rates; or

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(2) Medicare or medicaid reimbursement rates.

**56-33-106. Independent dispute resolution for emergency services.**

(a)

(1) When a health carrier receives a bill for emergency services from an out-of-network facility-based physician or an out-of-network healthcare facility, the health carrier shall pay an amount that it determines is reasonable for the emergency services rendered by the out-of-network facility-based physician or healthcare facility, in accordance with § 56-7-109, except for the enrollee's co-payment, coinsurance, or deductible, if any, and shall ensure that the enrollee incurs no greater out-of-pocket costs for the emergency services than the enrollee would have incurred had emergency services been performed by a participating physician or healthcare facility. Any amount paid by the enrollee must be added to the in-network deductible, coinsurance, or other deductible as applicable.

(2) An out-of-network facility-based physician, healthcare facility, or health carrier may submit a dispute regarding a fee or payment for emergency services for review to an independent dispute resolution entity.

(3) The independent dispute resolution entity shall make a determination of a reasonable fee for the services rendered within thirty (30) days of receipt of the dispute for review.

(4) In determining a reasonable fee for the services rendered, an independent dispute resolution entity shall select either the health carrier's payment or the out-of-network facility-based physician's or healthcare facility's fee. The independent dispute resolution entity shall determine which amount to select based upon the conditions and factors set forth in § 56-33-105. If an independent dispute resolution entity determines, based on the health carrier's payment and the out-of-network facility-based physician's or facility's fee, that a settlement between the health carrier and out-of-network facility-based physician or the healthcare facility is reasonably likely, or that both the health carrier payment and the out-of-network facility-based physician's fee or healthcare facility's fee represent unreasonable extremes, then the independent dispute resolution entity may direct both parties to attempt a good faith negotiation for settlement. The health carrier and out-of-network facility-based physician or healthcare facility may be granted up to ten (10) business days for this negotiation, and the ten-day period runs concurrently with the thirty-day period for dispute resolution.

(b)

(1) A patient that is not insured may submit a dispute regarding a fee for emergency services for review to an independent dispute resolution entity upon approval of the commissioner.

(2) An independent dispute resolution entity shall determine a reasonable fee for the services based upon the same conditions and factors set forth in § 56-33-105.

(3) A patient that is not insured is not required to have paid the physician's fee in order to be eligible to submit the dispute for review to an independent dispute resolution entity.

(c) The determination of an independent dispute resolution entity is binding on the health carrier, physician, and patient.

**56-33-107. Independent dispute resolution for balance bills.**

(a) If benefits are assigned in a non-emergency as set forth in § 56-33-109(a), then:

(1) The health carrier shall pay the out-of-network facility-based physician in accordance with subdivisions (a)(2) and (3) and § 56-7-109 if benefits are assigned to an out-of-network facility-based physician. The out-of-network facility-based physician may bill the health carrier for the healthcare services rendered, and the health carrier shall pay the out-of-network facility-based physician the billed amount or attempt to negotiate reimbursement with the out-of-network facility-based physician;

(2) The health carrier shall attempt to negotiate reimbursement for healthcare services provided by an out-of-network facility-based physician;

(3)

(A) If the negotiation does not result in a resolution of the payment dispute between the out-of-network facility-based physician and the health carrier, then the health carrier shall pay the out-of-network facility-based physician an amount the health carrier determines is reasonable for the healthcare services rendered, except for the enrollee's co-payment, coinsurance, or deductible, in accordance with § 56-7-109, and any amount paid by the enrollee must be added to the in-network deductible, coinsurance, or other deductible, as applicable; or

(B) If the negotiation does result in an agreement, then the health carrier shall pay the out-of-network facility-based physician the negotiated amount, except for the enrollee's co-payment, coinsurance, or deductible in accordance with § 56-7-109;

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(4) Either the health carrier or the out-of-network facility-based physician may submit the dispute regarding the balance bill for review to an independent dispute resolution entity, except that the health carrier shall not submit the dispute unless it has complied with subdivisions (a)(1)-(3); and

(5) The independent dispute resolution entity shall make a determination within thirty (30) days of receipt of the dispute for review in accordance with the following:

(A) When determining a reasonable fee for the services rendered, the independent dispute resolution entity shall select either the health carrier payment or the out-of-network facility-based physician's fee, and shall choose the amount based upon the conditions and factors set forth in § 56-33-105;

(B) If an independent dispute resolution entity determines, based on the health carrier's payment and the out-of-network facility-based physician's fee, that a settlement between the health carrier and out-of-network facility-based physician is reasonably likely, or that both the health carrier's payment and the out-of-network facility-based physician's fee represent unreasonable extremes, then the independent dispute resolution entity may direct both parties to attempt a good faith negotiation for settlement, and in that case the health carrier and non-participating physician may be granted up to ten (10) business days for negotiation, which runs concurrently with the thirty-day period for dispute resolution; and

(C) An out-of-network facility-based physician may request, and the independent dispute resolution entity may permit, that claims of a physician involving the same health carrier be aggregated and submitted for simultaneous review by an independent dispute resolution entity when the specific reason for nonpayment of the claims aggregated involve a dispute regarding a common substantive question of fact or law.

(b) If a balance bill is received by an enrollee who is not experiencing an emergency as set forth in § 56-33-109(b) and who does not assign benefits in accordance with subsection (a), then:

(1) The enrollee may submit a dispute regarding the balance bill for review to an independent dispute resolution entity that shall determine a reasonable fee for the services rendered based upon the conditions and factors set forth in § 56-33-105; and

(2) The enrollee is not required to have paid the physician's fee or a healthcare facility's fee to be eligible to submit the dispute for review to the independent dispute entity.

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(c) If a balance bill is received by a patient who is not insured and who is not experiencing an emergency as set forth in § 56-33-106, then:

(1) The patient may submit a dispute regarding the balance bill for review to an independent dispute resolution entity that shall determine a reasonable fee for the services rendered based upon the conditions and factors set forth in § 56-33-105;

(2) The patient is not required to have paid the physician's fee to be eligible to submit the dispute for review to the independent dispute entity; and

(3) The determination of an independent dispute resolution entity is binding on the patient, physician, and health carrier.

**56-33-108. Payment for independent dispute resolution of a balance bill.**

(a) For disputes involving an enrollee:

(1) When the independent dispute resolution entity determines the health carrier's payment is reasonable, payment for the dispute resolution process is the responsibility of the out-of-network facility-based physician or healthcare facility;

(2) When the independent dispute resolution entity determines the out-of-network facility-based physician's or healthcare facility's fee is reasonable, payment for the dispute resolution process is the responsibility of the health carrier; and

(3) When a good faith negotiation directed by the independent dispute resolution entity pursuant to § 56-33-106(a) or § 56-33-107(a) results in a settlement between the health carrier and out-of-network facility-based physician or healthcare facility, the health carrier and the out-of-network facility-based physician or healthcare facility shall evenly divide and share the prorated cost of the dispute resolution.

(b) For disputes involving a patient that is not insured:

(1) When the independent dispute resolution entity determines the physician's or facility's fee is reasonable, payment for the dispute resolution process is the responsibility of the patient unless payment for the dispute resolution process would pose a hardship to the patient; and

(2) When the independent dispute resolution entity determines the physician's or facility's fee is unreasonable, payment for the dispute resolution process is the responsibility of the physician or facility.

(c) The commissioner shall promulgate rules to determine payment for a dispute resolution process in cases where payment for the dispute resolution process would pose a hardship to the patient under subdivision (b)(1).

**56-33-109. Hold harmless and assignment of benefits for balance bills for insured persons.**

(a) When an enrollee assigns benefits to an out-of-network facility-based physician in writing and the out-of-network facility-based physician knows the patient is an enrollee in a health benefit plan with an out-of-network benefit, the enrollee is only responsible for any applicable co-payment, coinsurance, or deductible that would be owed if the enrollee utilized a participating physician.

(b) When an enrollee receives emergency services from an out-of-network facility and assigns benefits to an out-of-network facility for an emergency medical condition and the out-of-network facility knows the patient is an enrollee in a health benefit plan with an out-of-network benefit, the enrollee is only responsible for any applicable co-payment, coinsurance, or deductible that would be owed if the enrollee utilized a participating facility.

(c) Subsections (a) and (b) do not apply to:

(1) Coinsurance, co-payments, or deductibles for services provided by an in-network facility or physician; and

(2) Services, other than emergency services, provided to enrollees who choose to receive services from an out-of-network facility or out-of-network facility-based physician.

SECTION 2. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 3. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2022, the public welfare requiring it.

On motion, Insurance Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Van Huss moved that the House consider House Amendment No. 3 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

Ayes.....	64
Noes .....	22

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VERSION**

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Crawford, Curcio, Daniel, DeBerry, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Hall, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Sparks, Tillis, Todd, Van Huss, Vaughan, Weaver, White, Williams, Windle, Wright, Zachary--64

Representatives voting no were: Beck, Clemmons, Dixie, Dunn, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lafferty, Lamar, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Smith, Staples, Stewart, Thompson--22

Rep. Van Huss moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 2680 by inserting the following new Section immediately preceding the effective date Section and redesignating the effective date Section accordingly:

SECTION \_\_. Tennessee Code Annotated, Title 68, Chapter 11, Part 9, is amended by adding the following new section:

(a) Notwithstanding any law, and except as provided in subsection (b), a nursing home shall not prohibit or effectively prohibit a family member or legal representative of a nursing home resident who has a diagnosis of Alzheimer's disease or dementia from accessing the resident based upon any restriction imposed upon nursing home access pursuant to any state or local emergency declaration or executive order.

(b)

(1) A nursing home may require a visiting family member or legal representative to take personal protective measures while accessing the common areas of the nursing home; however, if the resident occupies a single-occupancy room, then the nursing home shall not require the family member or legal representative to use the personal protective measures when enclosed in the resident's room.

(2) Any personal protective measures required by a nursing home pursuant to this subsection (b) must be no more burdensome than measures required of residents of the nursing home.

Rep. Smith moved that House Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes..... 53  
Noes ..... 35

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL  
VERSION**

Representatives voting aye were: Beck, Boyd, Carr, Chism, Clemmons, Crawford, Curcio, Daniel, Dixie, Dunn, Farmer, Freeman, Garrett, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Helton, Hicks, Hodges, Howell, Jernigan, Johnson G, Kumar, Lafferty, Lamar, Love, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Powell, Ramsey, Reedy, Russell, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Vaughan, White, Whitson, Williams, Wright, Mr. Speaker Sexton--53

Representatives voting no were: Baum, Bricken, Byrd, Calfee, Carter, Cepicky, Cochran, Doggett, Eldridge, Faison, Gant, Griffey, Grills, Hill M, Hill T, Holsclaw, Holt, Hulsey, Hurt, Johnson C, Keisling, Leatherwood, Littleton, Lynn, Moody, Powers, Ragan, Rudd, Rudder, Sexton J, Todd, Van Huss, Weaver, Windle, Zachary--35

Rep. T. Hill moved that **House Bill No. 2680**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 91  
Noes ..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

**\*House Bill No. 2689** -- Children - As introduced, authorizes a "Parents' Day Out" or similar program operated by a religious institution or organization to provide 12-hour per week child care services in whatever block of time desired; requires the department of human services to create a \$10 million fund to provide unlicensed care providers in rural counties with assistance in making facility upgrades for licensure; allows care providers in rural counties to provide child care for up to 10 children without being licensed if certain conditions are met. - Amends TCA Title 49 and Title 71. by \*Hill T, \*Doggett, \*Griffey, \*Parkinson, \*Faison, \*Chism. (SB2777 by \*Bell, \*Lundberg)

Rep. T. Hill moved that House Bill No. 2689 be passed on third and final consideration.

Rep. Helton moved adoption of Health Committee Amendment No. 1 as follows:

**Amendment No. 1**

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

AMEND House Bill No. 2689 by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 71-3-503(a)(6)(A), is amended by deleting the language:

with no child attending more than two (2) days in each calendar week for not more than six (6) hours each day

and substituting instead the following:

with no child attending more than twelve (12) hours in each calendar week

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 3, Part 5, is amended by adding the following as a new section:

71-3-519.

(a) In order to increase the number of licensed child care agencies providing affordable, high-quality child care in the state, the department is authorized, notwithstanding any other provisions contained in this part, to permit department-registered "family child care homes" or "group child care homes", as defined in § 71-3-501, to provide care for children prior to licensure.

(b) Upon registration with the department as either a registered family child care home or registered group child care home and verification that a provider meets the health and safety requirements under the federal Child Care and Development Block Grant Act (42 U.S.C. § 9857 et seq.) and federal Child Care Development Fund regulations at 45 C.F.R. §§ 98.41 and 98.43, the department shall permit registered family or group home providers to care for children for no more than a total of twelve (12) months within a period of eighteen (18) months during the licensure process.

(c) In order to continue to provide care for children in excess of the licensing threshold upon expiration of the twelve (12) months of registration, a child care provider must be approved for licensure by the department as either a family child care home or group child care home.

SECTION 3. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2020, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Powell moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

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AMEND House Bill No. 2689 by inserting the following new Section immediately preceding the effective date Section and renumbering the effective date Section accordingly:

SECTION \_\_. Tennessee Code Annotated, Title 71, Chapter 3, Part 5, is amended by adding the following new section:

(a) The department shall establish a program known as the "Child Care Providers for Frontline and Essential Workers Program."

(b) The purposes of the program are to:

(1) Provide emergency funding and resources to child care providers that stay open to provide child care services for frontline and essential workers during a pandemic or state-declared state of emergency;

(2) Provide paid leave and hazard pay for child care workers who risk their own health to remain open;

(3) Eliminate all fees for essential workers to access child care services during the COVID-19 crisis;

(4) Provide emergency funding to save the child care sector from collapse and to prevent unemployment;

(5) Provide necessary funding to train child care workers on health and safety procedures;

(6) Provide families with virtual learning opportunities and mental health support;

(7) Assist child care providers with completing applications for small business loans and finding lenders; and

(8) Protect and strengthen the infrastructure and quality of child care in this state.

(c) The department shall utilize available funds from the federal Child Care Development block grant to fund the program.

Rep. T. Hill moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes..... 68  
Noes ..... 21

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Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Tillis, Todd, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--68

Representatives voting no were: Clemmons, DeBerry, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Staples, Stewart, Thompson, Towns, Windle--21

Rep. T. Hill moved that **House Bill No. 2689**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 91  
Noes ..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

**\*House Bill No. 2705** -- Game and Fish Laws - As introduced, creates a five-member Asian carp advisory commission to recommend methods and seek funding for the eradication of Asian carp from Tennessee waters. - Amends TCA Title 4 and Title 70. by \*Griffey, \*Holt, \*Gant, \*Ogles, \*Powers, \*Tillis, \*Hazlewood, \*Todd, \*Sparks, \*Grills, \*Johnson C, \*Hurt, \*White, \*Leatherwood, \*Farmer, \*Carr, \*Baum, \*Bricken, \*Byrd, \*Boyd, \*Carter, \*Littleton, \*Zachary, \*Rudder, \*Dunn, \*Haston, \*Vaughan, \*Cochran, \*Hulsey, \*Garrett, \*Windle, \*Wright, \*Sexton J, \*Hall, \*Eldridge, \*Hawk, \*Cepicky, \*Lafferty, \*Freeman, \*Jernigan, \*Weaver, \*Sherrell, \*Helton, \*Whitson, \*Reedy, \*Potts, \*Curcio, \*Moon, \*Marsh, \*Hicks, \*Faison, \*Lamberth, \*Moody, \*Ragan, \*Holsclaw, \*Coley, \*Rudd, \*Lynn, \*Halford, \*Crawford, \*Hill T, \*Hill M, \*Keisling, \*Smith, \*Howell, \*Russell, \*Williams, \*Daniel, \*Casada, \*Calfee, \*Powell, \*Hardaway. (SB2690 by \*Bowling)

Further consideration of House Bill No. 2705, previously considered on June 17, 2020, at which time the House adopted Amendments Nos. 1 and 2.

Rep. Griffey moved that House Bill No. 2705 be passed on third and final consideration.

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Rep. Whitson moved that the House consider House Amendment No. 3 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

Ayes..... 88  
Noes ..... 0

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--88

Rep. Whitson moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 2705 by adding the following to the amendatory language of SECTION 1:

4-3-3103. This part shall be known and may be cited as the "Ron Lollar Act."

Rep. Whitson moved adoption of House Amendment No. 3, which motion prevailed by the following vote:

Ayes..... 89  
Noes ..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

Rep. Griffey moved that **House Bill No. 2705**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 91  
Noes ..... 0

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

**\*House Bill No. 2131** -- Museums - As introduced, designates the Tennessee state museum located at 1000 Rosa L. Parks Boulevard as the "William E. Haslam Center". - Amends TCA Title 4 and Title 12. by \*Lamberth, \*Sexton C, \*Lynn, \*Whitson, \*Hazlewood, \*Williams, \*Smith, \*Marsh, \*Hicks, \*Gant, \*Boyd, \*Curcio, \*Russell, \*Dunn, \*White, \*Moon, \*Wright, \*Faison. (SB2301 by \*Watson, \*Stevens, \*Yager)

Rep. Lamberth requested that House Bill No. 2131 be moved to the heel of the Regular Calendar for June 18, 2020, which motion prevailed.

**Senate Bill No. 1560** -- Alcoholic Beverages - As introduced, authorizes the sale of alcoholic beverages and beer for consumption on the premises of the Memphis Zoo during the zoo's regular operating hours. - Amends TCA Section 57-4-101. by \*Kelsey, \*Akbari, \*Kyle. (\*HB1723 by \*Camper, \*Miller, \*Curcio)

Further consideration of Senate Bill No. 1560, previously considered on June 17, 2020 at which time the House substituted the Senate bill for the House Bill.

Rep. Miller moved that Senate Bill No. 1560 be passed on third and final consideration.

Rep. Marsh moved the previous question, which motion prevailed by the following vote:

Ayes.....	63
Noes .....	29

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Carr, Casada, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, Dixie, Eldridge, Farmer, Freeman, Griffey, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hodges, Holsclaw, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamar, Lamberth, Love, Marsh, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Shaw, Smith, Staples,

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Stewart, Tillis, Todd, Towns, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--63

Representatives voting no were: Byrd, Carter, Cepicky, DeBerry, Doggett, Dunn, Faison, Gant, Garrett, Grills, Haston, Hicks, Hill M, Hill T, Holt, Hulsey, Hurt, Kumar, Leatherwood, Littleton, Lynn, Moody, Ogles, Rudd, Sexton J, Sherrell, Sparks, Thompson, Van Huss--29

Rep. Miller moved that **Senate Bill No. 1560** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	60
Noes .....	26
Present and not voting .....	4

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Carr, Casada, Chism, Clemmons, Crawford, Curcio, Daniel, Dixie, Eldridge, Faison, Farmer, Freeman, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Hulsey, Jernigan, Johnson C, Johnson G, Lafferty, Lamar, Lamberth, Love, Marsh, Miller, Mitchell, Moon, Parkinson, Powell, Ragan, Ramsey, Reedy, Rudder, Russell, Shaw, Smith, Staples, Stewart, Thompson, Tillis, Towns, Vaughan, Weaver, Whitson, Williams, Wright, Mr. Speaker Sexton--60

Representatives voting no were: Byrd, Calfee, Carter, Cepicky, Cochran, Doggett, Dunn, Grills, Haston, Hill M, Hill T, Holt, Keisling, Kumar, Leatherwood, Lynn, Moody, Ogles, Powers, Rudd, Sexton J, Sherrell, Sparks, Van Huss, Windle, Zachary--26

Representatives present and not voting were: Gant, Hurt, Todd, White--4

A motion to reconsider was tabled.

**Senate Bill No. 2243** -- Alcoholic Beverages - As introduced, designates Bristol Motor Speedway as a sports authority facility for purposes of the sale of alcoholic beverages for on-premises consumption. - Amends TCA Title 57, Chapter 4. by \*Lundberg. (\*HB2330 by \*Crawford)

Further consideration of Senate Bill No. 2243, previously considered on June 17, 2020 at which time the House substituted the Senate bill for the House Bill.

Rep. Crawford moved that Senate Bill No. 2243 be passed on third and final consideration.

Rep. Powell moved the previous question, which motion prevailed.

Rep. Crawford moved that **Senate Bill No. 2243** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	60
Noes .....	19
Present and not voting .....	7

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Carr, Carter, Casada, Chism, Clemmons, Crawford, Curcio, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Holsclaw, Hulsey, Jernigan, Johnson C, Johnson G, Lafferty, Lamar, Lamberth, Love, Marsh, Miller, Mitchell, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Shaw, Smith, Staples, Stewart, Thompson, Tillis, Vaughan, Weaver, Whitson, Williams, Wright, Mr. Speaker Sexton--60

Representatives voting no were: Byrd, Cepicky, Cochran, Doggett, Dunn, Grills, Haston, Hill M, Hill T, Holt, Keisling, Leatherwood, Lynn, Moody, Ogles, Sexton J, Van Huss, Windle, Zachary--19

Representatives present and not voting were: DeBerry, Hurt, Rudd, Sherrell, Sparks, Todd, White--7

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Lamberth moved that the rules be suspended for the purpose of introducing House Resolution No. 371 out of order, which motion prevailed.

**House Resolution No. 371** -- Lottery, Charitable - Approves 2020–2021 annual gaming events by the House of Representatives, third omnibus list. by \*Lamberth.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Lamberth moved adoption of **House Resolution No. 371**, which motion prevailed by the following vote:

Ayes.....	86
Noes .....	1
Present and not voting .....	3

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

Representatives voting no were: Holt--1

Representatives present and not voting were: Doggett, Dunn, Haston--3

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL  
VERSION**

House Resolution No. 371, having received a vote in the affirmative by two-thirds of the members elected to the Tennessee House of Representatives of the One Hundred Eleventh General Assembly, was declared adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 2918** to be heard in the Naming, Designating, & Private Acts Committee this week, which motion prevailed.

**JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. Curcio voted "aye" on **House Bill No. 2263**.

**RECESS MOTION**

Rep. Lamberth moved that the House stand in recess until 3:00 p.m. today, which motion prevailed.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Pro Tempore Dunn.

**ROLL CALL DISPENSED**

On motion of Rep. Gant the roll call was dispensed with.

**PRESENT IN CHAMBER**

Rep. Coley was recorded as being present in the Chamber.

**CONSENT CALENDAR NO. 3**

**House Bill No. 2932** -- Hardin County - Subject to local approval, increases from six to eight members on the Hardin County General Hospital Board of Commissioners. - Amends Chapter 409 of the Private Acts of 1957; as amended. by \*Byrd.

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Bill No. 2918** -- Benton County - Subject to local approval, requires government-owned hotel operators to collect and remit the privilege tax on the occupancy of hotels and motels in the county. - Amends Chapter 189 of the Private Acts of 1994. by \*Griffey.

**House Resolution No. 372** -- Memorials, Personal Achievement - Sheriff Jeff Bledsoe, Executive Director of the Tennessee Sheriffs' Association. by \*Littleton, \*Curcio.

**House Resolution No. 373** -- Memorials, Congratulations - Taiwan. by \*Littleton, \*Wright, \*Eldridge, \*Rudder.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	86
Noes .....	0

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, DeBerry, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

A motion to reconsider was tabled.

**SPECIAL ORDER**

Without objection, Rep. Gant moved to take up Regular Calendar No. 2, out of order at this time as follows:

**REGULAR CALENDAR NO. 2**

**House Bill No. 1830** -- Real Property - As introduced, clarifies that a "bed and breakfast homestay" may be operated in a private condominium, as well as a private home, for purposes of the Bed and Breakfast Establishment Inspection Act of 1990, which requires inspection of a bed and breakfast homestay. - Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68. by \*Boyd, \*Williams. (\*SB1778 by \*Stevens)

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

On motion, House Bill No. 1830 was made to conform with **Senate Bill No. 1778**; the Senate Bill was substituted for the House Bill.

Rep. Boyd moved that Senate Bill No. 1778 be passed on third and final consideration.

Rep. Crawford moved that Local Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1778 by deleting Section 11 and substituting instead the following:

SECTION 11. Tennessee Code Annotated, Section 67-5-801(b), is amended by designating the existing language as subdivision (1) and adding the following new subdivisions:

(2) Notwithstanding subdivision (b)(1), when a parcel of real property is the principal residence of its owner, contains not more than one (1) rental unit, and is used as a short-term rental unit, as defined by § 13-7-602, the assessor of property should presume the classification of the property is residential.

(3) When a parcel is classified as residential under subdivision (b)(2), the same owner of the property may request residential classification for a maximum of one (1) additional parcel in this state and the assessor of property should presume residential classification when the one (1) additional parcel meets the following conditions:

(A) The parcel of real property contains not more than one (1) rental unit;

(B) The property is used as a short-term rental unit, as defined by § 13-7-602;

(C) The owner of the property lives on the property a minimum of fourteen (14) days each year or at least ten percent (10%) of the number of days the property is rented as a short-term rental unit, whichever is greater; and

(D) The owner of the property annually files a written affidavit with the assessor of property by September 1 of the prior year verifying that the property meets all requirements and the owner has no more than one (1) additional parcel in addition to their principal residence under this section.

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Carr moved the previous question, which motion prevailed.

Rep. Boyd moved that **Senate Bill No. 1778**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	73
Noes .....	11
Present and not voting .....	6

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Cochran, Curcio, Daniel, DeBerry, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Leatherwood, Lynn, Marsh, Miller, Moody, Moon, Ogles, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Staples, Thompson, Tillis, Todd, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary--73

Representatives voting no were: Beck, Clemmons, Dixie, Doggett, Hardaway, Hulsey, Littleton, Mitchell, Rudd, Stewart, Towns--11

Representatives present and not voting were: Crawford, Garrett, Lafferty, Powell, Sparks, Van Huss--6

A motion to reconsider was tabled.

**RECESS MOTION**

Rep. Gant moved that the House stand in recess until 4:30 p.m. today, which motion prevailed.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Sexton.

**ROLL CALL DISPENSED**

On motion of Rep. Lamberth the roll call was dispensed with.

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**MESSAGE FROM THE SENATE**  
**June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, SB2381

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No.2

The Speaker appointed a Conference Committee composed of Senators: Bell, Gresham, Powers, Stevens and Yarbrow to confer with a like committee from the House in open conference to resolve the differences between the bodies on SB2381

RUSSELL A. HUMPHREY, Chief Clerk

**HOUSE ACTION ON SENATE MESSAGES**

**\*Senate Bill No. 2381** -- Civil Procedure - As introduced, changes, from not less than five days to not less than seven days before a hearing, the time the opposing party has to file a response to a petition under the Tennessee Public Participation Act. - Amends TCA Title 1; Title 5; Title 6; Title 7; Title 8; Title 9; Title 20; Title 27; Title 28; Title 29; Title 47 and Title 49. by \*Bell, \*Kelsey, \*Reeves, \*Yager, \*Bailey, \*Crowe, \*Gardenhire, \*Gresham, \*Johnson, \*Lundberg, \*Pody, \*Rose, \*Stevens, \*Hensley.

**CONFERENCE COMMITTEE APPOINTED**  
**ON SENATE BILL NO. 2381**

Pursuant to **Rule No. 73**, Representative Curcio acceded to the request of the Senate and moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2381, which motion prevailed.

The Speaker appointed Representatives Curcio, Lafferty and Shaw as the House members of the Conference Committee on Senate Bill No. 2381.

**MESSAGE FROM THE SENATE**  
**June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, HB2156. The Senate refused to recede from its action in adopting Senate amendment No. 1.

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RUSSELL A. HUMPHREY, Chief Clerk

### HOUSE ACTION ON SENATE MESSAGES

**\*House Bill No. 2156** -- Public Funds and Financing - As introduced, changes from January 31 to March 1, the date by which the commissioner of economic and community development must report to the general assembly on the administration of the program allocating the state's bond authority among governmental units having authority to issue bonds. - Amends TCA Title 3; Title 4; Title 8; Title 9 and Title 12. by \*Boyd, \*Hazlewood, \*Towns.

Rep. Boyd moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1 to **House Bill No. 2156**, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 2156

Pursuant to **Rule No. 73**, Representative Boyd moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 2156, which motion prevailed.

The Speaker appointed Representatives Boyd, Marsh and Towns as the House members of the Conference Committee on House Bill No. 2156.

### HOUSE ACTION ON SENATE MESSAGES

**\*House Bill No. 1827** -- Textbooks - As introduced, requires publishers to make all textbooks and instructional materials proposed for adoption available on the website of the department of education or the state textbook depository for inspection by LEAs and the public. - Amends TCA Title 49, Chapter 6, Part 22. by \*Haston, \*Griffey, \*White, \*Lamberth, \*Crawford, \*Hurt, \*Terry, \*Daniel, \*Lafferty, \*Sherrell.

Rep. Haston moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 2 to **House Bill No. 1827**, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 1827

Pursuant to **Rule No. 73**, Representative Haston moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1827, which motion prevailed.

The Speaker appointed Representatives Haston, White, Cochran and DeBerry as the House members of the Conference Committee on House Bill No. 1827.

### JOURNAL CORRECTION

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**THURSDAY, JUNE 18, 2020 - SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL  
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Without objection, the Speaker requested that the Journal reflect that Rep. White voted "aye" on **Senate Joint Resolution No. 648**.

**JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. Ogles voted "aye" on **Senate Bill No. 1778**.

**SPECIAL ORDER**

Without objection, Rep. Smith moved to take up House Bill No. 2350 on the Regular Calendar, out of order at this time as follows:

**REGULAR CALENDAR**

**\*House Bill No. 2350** -- Hospitals and Health Care Facilities - As introduced, makes various changes to the certificate of need process for healthcare facilities and services. - Amends TCA Title 68, Chapter 11, Part 16. by \*Smith, \*Daniel, \*Sherrell, \*Hardaway, \*Baum, \*Helton, \*Sparks. (SB2312 by \*Gardenhire, \*Reeves, \*Watson, \*Jackson, \*Crowe, \*Stevens)

On motion, House Bill No. 2350 was made to conform with **Senate Bill No. 2312**; the Senate Bill was substituted for the House Bill.

Rep. Smith moved that Senate Bill No. 2312 be passed on third and final consideration.

Rep. Helton moved adoption of Health Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2312 by deleting the amendatory language of SECTION 1 and substituting instead the following:

As used in this part:

(1) "Agency" and "health services and development agency" mean the agency created by this part to develop the criteria and standards to guide the agency when issuing certificates of need; to conduct studies related to health care, including needs assessments; and to administer the certificate of need program and related activities;

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(2) "Certificate of need" means a permit granted by the health services and development agency to any person for those services specified as requiring a certificate of need under § 68-11-1607 at a designated location;

(3) "Conflict of interest" means any matter before the agency in which the member or employee of the agency has a direct interest or indirect interest that is in conflict or gives the appearance of conflict with the discharge of the member's or employee's duties;

(4) "Department" means the department of health;

(5) "Direct interest" means a pecuniary interest in the persons involved in a matter before the agency, and applies to the agency member or employee, the agency member's or employee's relatives, or an individual with whom or business in which the member or employee has a pecuniary interest. As used in this subdivision (5), "relative" means a spouse, parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, or nephew by blood, marriage, or adoption;

(6) "Ex parte communications" means communications in violation of § 4-5-304 or § 68-11-1607(d);

(7) "Facility" means any real property owned, leased, or used by a healthcare institution for any purpose, other than as an investment;

(8) "Health service" means clinically related services, such as diagnostic, treatment, or rehabilitative services, and includes those services specified as requiring a certificate of need under § 68-11-1607;

(9) "Healthcare institution":

(A) Means any agency, institution, facility, or place, whether publicly or privately owned or operated, that provides health services and that is one (1) of the following: nursing home; hospital; ambulatory surgical treatment center; intellectual disability institutional habilitation facility; home care organization or any category of service provided by a home care organization for which authorization is required under part 2 of this chapter; outpatient diagnostic center; rehabilitation facility; residential hospice; or nonresidential substitution-based treatment center for opiate addiction; and

(B) Does not include:

(i) Ground ambulances;

(ii) Homes for the aged;

(iii) Any premises occupied exclusively as the professional practice office of a:

(a) Physician licensed pursuant to title 63, chapter 6, part 2 or title 63, chapter 9; or

(b) Dentist licensed by the state and controlled by the physician or dentist;

(iv) Administrative office buildings of public agencies related to healthcare institutions;

(v) Christian Science sanatoriums operated, or listed and certified, by the First Church of Christ Scientist, Boston, Massachusetts;

(vi) A mental health residential treatment facility; or

(vii) A mental health hospital;

(10) "Home care organization" means any entity licensed as such by the department that is staffed and organized to provide "home health services" or "hospice services," as defined by § 68-11-201, to patients in either their regular or temporary place of residence;

(11) "Indirect interest" means a personal interest in the persons involved in a matter before the agency that is in conflict with the discharge of the agency member's or employee's duties;

(12) "Letter of intent" means the form prescribed by the agency that requires a brief project description, location, estimated project cost, owner of the project, and description of services to be performed;

(13) "Licensed beds" means the number of beds licensed by the agency having licensing jurisdiction over the facility;

(14) "Micro hospital" means a facility required to be licensed as a hospital under this title that has no more than ten (10) beds for admitted patients and that offers services that include, but are not limited to, the following:

(A) Emergency medical services;

(B) Inpatient care;

(C) Laboratory services;

(D) Pharmacy services; and

(E) Surgical services;

(15) "Needs assessment" means an annual report that measures access to health care in this state, particularly as to emergency and primary care; identifies access gaps; and serves to inform the criteria and standards for the issuance of certificates of need;

(16) "Nonresidential substitution-based treatment center for opiate addiction" includes, but is not limited to, stand-alone clinics offering methadone, products containing buprenorphine such as Subutex and Suboxone, or products containing any other formulation designed to treat opiate addiction by preventing symptoms of withdrawal;

(17) "Nursing home" has the same meaning as defined in § 68-11-201;

(18) "Nursing home bed" means:

(A) Any licensed bed within a nursing home, regardless of whether the bed is certified for medicare or medicaid services; and

(B) Any bed at a healthcare institution used as a swing bed under 42 C.F.R. § 485.645;

(19) "Patient" includes, but is not limited to, any person who has an acute or chronic physical or mental illness or injury; who is convalescent, infirm, or has an intellectual or physical disability; or who is in need of obstetrical, surgical, medical, nursing, psychiatric, or supervisory care;

(20) "Pediatric patient" means a patient who is seventeen (17) years of age or younger;

(21) "Person":

(A) Means any individual, trust or estate, firm, partnership, association, stockholder, joint venture, corporation or other form of business organization, the state of Tennessee and its political subdivisions or parts of political subdivisions, and any combination of persons specified in this subdivision (21), public or private; and

(B) Does not include the United States or any agency or instrumentality of the United States, except in the case of voluntary submission to the rules established pursuant to this part;



(22) "Planning division" and "state health planning division" means the state health planning division of the department, which is created by this part to develop the state health plan and to conduct other related studies;

(23) "Rehabilitation facility" means an inpatient or residential facility that is operated for the primary purpose of assisting in the rehabilitation of physically disabled persons through an integrated program of medical and other services that is provided under professional supervision;

(24) "Review cycle" means the timeframe set for the review and initial decision on applications for certificate of need applications that have been deemed complete, with the fifteenth day of the month being the first day of the review cycle; and

(25) "State health plan" means the plan that is developed by the state health planning division pursuant to this part.

**AND FURTHER AMEND** by deleting the amendatory language of SECTION 6 and substituting instead the following:

In addition to the powers granted elsewhere in this part, the agency has the duty and responsibility to:

(1) Develop criteria and standards to guide the agency when issuing certificates of need that are:

(A) Based, in whole or in part, upon input the agency received during development of the criteria and standards from the division of TennCare, or its successor; the departments of health, mental health and substance abuse services, and intellectual and developmental disabilities; the health and welfare committee of the senate; and the health committee of the house of representatives;

(B) Evaluated and updated not less than once every five (5) years; and

(C) Developed by rule in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

(2) Receive and consider applications for certificates of need, to review recommendations on certificates of need, and to grant or deny certificates of need on the basis of the merits of the applications within the context of the local, regional, and state health needs, including, but not limited to, the criteria and standards developed in accordance with this part;

(3) Conduct studies related to health care, including a needs assessment that must be updated at least annually;

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(4) Promulgate rules and policies deemed necessary by the agency for the fulfillment of its duties and responsibilities under this part, including a procedure for the issuance of a certificate of need upon an emergency application if an unforeseen event necessitates the issuance of a certificate of need to protect the public health, safety, and welfare, and if the public health, safety, and welfare would be unavoidably jeopardized by compliance with the procedures established under this part;

(5) Contract when necessary for the development of criteria and standards to guide the agency when issuing certificates of need and for the implementation of the certificate of need program described in this part;

(6) Weigh and consider access to quality health care and the healthcare needs of consumers, particularly those in underserved communities; those who are uninsured or underinsured; women and racial and ethnic minorities; TennCare or medicaid recipients; and low income groups whenever the agency performs its duties or responsibilities assigned by law; and

(7) Issue exemptions from the voiding of a certificate of need and any activity authorized by the certificate of need pursuant to § 68-11-1609(i), if the actions the certificate of need authorizes are not performed for a continuous period of one (1) year after the certificate of need is implemented.

**AND FURTHER AMEND** by deleting the amendatory language of SECTION 7 and substituting instead the following:

(c) The executive director has the following duties:

(1) Administer the development of criteria and standards to guide the agency when issuing certificates of need;

(2) Administer the certificate of need program;

(3) Conduct studies related to health care;

(4) Represent the agency before the general assembly;

(5) Oversee the issuance of responses to requests for determination regarding the applicability of this part;

(6) Issue exemptions from the requirement that a certificate of need be obtained for the relocation of existing or certified facilities providing healthcare services and healthcare institutions under § 68-11-1607(a)(4);

(7) Keep a written record of all proceedings and transactions of the agency, which must be open to public inspection during regular office hours;

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(8) Prepare the agenda, including consent and emergency calendars, and notice to the general public of all meetings and public hearings of the agency;

(9) Employ personnel, within the agency's budget, to assist in carrying out this part;

(10) Carry out all policies and rules that are promulgated by the agency and supervise the expenditure of funds; and

(11) Submit a proposal to the general assembly no later than January 1, 2021, detailing objectives, governance issues, costs, and implementation timelines of a state all payer claims database.

**AND FURTHER AMEND** by deleting subsection (a) from the amendatory language of SECTION 10 and substituting instead the following:

(a) No person shall perform any of the following actions in this state, except after applying for and receiving a certificate of need for the action:

(1) The construction, development, or other establishment of any type of healthcare institution as described in this part;

(2) In the case of a healthcare institution, any change in the bed complement, regardless of cost, that:

(A) Increases by one (1) or more the number of nursing home beds;

(B) Redistributes beds from any category to acute, rehabilitation, child and adolescent psychiatric, adult psychiatric, or long-term care; or

(C) Relocates beds to another facility or site;

(3) Initiation of any of the following healthcare services: burn unit, neonatal intensive care unit, open heart surgery, organ transplantation, cardiac catheterization, linear accelerator, home health, hospice, or opiate addiction treatment provided through a nonresidential substitution-based treatment center for opiate addiction;

(4)

(A) A change in the location of existing or certified facilities providing healthcare services and healthcare institutions. However, the executive director may issue an exemption for the relocation of existing healthcare institutions and approved services when the executive director determines that:

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(i) At least seventy-five percent (75%) of patients to be served are reasonably expected to reside in the same zip codes as the existing patient population; and

(ii) The relocation will not reduce access to consumers, particularly those in underserved communities; those who are uninsured or underinsured; women and racial and ethnic minorities; TennCare or medicaid recipients; and low income groups. The executive director must notify the agency of any exemption granted pursuant to this subdivision (a)(4)(A); and

(B) The relocation of the principal office of a home health agency or hospice within its licensed service area does not require a certificate of need;

(5) Initiation of magnetic resonance imaging;

(6) Increasing the number of magnetic resonance imaging machines, except for replacing or decommissioning an existing machine;

(7) Establishing a satellite emergency department facility or a satellite inpatient facility by a hospital at a location other than the hospital's main campus; and

(8) Initiation of positron emission tomography.

**AND FURTHER AMEND** by deleting subsection (g) from the amendatory language of SECTION 10 and substituting instead the following:

(g) After a person holding a certificate of need has completed the actions for which a certificate of need was granted, the time to complete activities authorized by the certificate of need expires.

**AND FURTHER AMEND** by deleting subdivision (m)(2) from the amendatory language of SECTION 10 and substituting instead the following:

(2) In any county with a population in excess of one hundred thousand (100,000), according to the 2010 federal census or any subsequent federal census, any person who initiates magnetic resonance imaging services shall notify the agency in writing that imaging services are being initiated and shall indicate whether pediatric patients will be provided imaging services.

**AND FURTHER AMEND** by deleting subsection (o) from the amendatory language of SECTION 10 and substituting instead the following:

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(o) After receiving a certificate of need, an outpatient diagnostic center must become accredited by the American College of Radiology in the modalities provided by that facility within a period of time set by rule by the agency as a condition of receiving a certificate of need.

**AND FURTHER AMEND** by deleting subsection (q) from the amendatory language of SECTION 10 and substituting instead the following:

(q)

(1) This part does not require a certificate of need for any actions in a county that, as of January 1, 2020:

(A) Is designated as an economically distressed eligible county by the department of economic and community development pursuant to § 67-6-104, as updated annually; and

(B) Has no hospital that is actively licensed under this title located within the county.

(2) This part does not require a certificate of need for any action in a county that is designated as an economically distressed eligible county by the department of economic and community development pursuant to § 67-6-104, as updated annually, and that has a hospital that is actively licensed under this title located within the county, if the licensed hospital does not perform the action. Actions excepted by this subdivision (q)(2) include, but are not limited to, establishing an outpatient diagnostic center or ambulatory surgical treatment center necessary to perform diagnostic or surgical services that are not provided by the licensed hospital.

(3) Any person that provides positron emission tomography services or magnetic resonance imaging services pursuant to this subsection (q) must be accredited by the Joint Commission or American College of Radiology in the modalities provided by that person within two (2) years of the initiation of service.

**AND FURTHER AMEND** by deleting subsection (r) from the amendatory language of SECTION 10 and substituting instead the following:

(r) This part does not require a certificate of need to establish a home health agency limited to providing home health services under the federal Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) (42 U.S.C. § 7384, et seq.), or any subsequent amendment, revision, or modification to the EEOICPA. Any license issued by the department pursuant to this subsection (r) for services under the EEOICPA must be limited to the provision of only those services. Any home health agency providing home health services without a certificate of need pursuant to this subsection (r) must be accredited by

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the Joint Commission, the Community Health Accreditation Partner, or the Accreditation Commission for Health Care.

**AND FURTHER AMEND** by deleting subsection (s) from the amendatory language of SECTION 10 and substituting instead the following:

(s)

(1) Nothing in this part requires a certificate of need to establish a home health agency limited to providing home health services to patients less than eighteen (18) years of age. Any license issued by the department pursuant to this subsection (s) for the provision of home health services to patients under eighteen (18) years of age must be limited to the provision of only those services.

(2) The agency may permit a home health agency providing home health services to patients under eighteen (18) years of age to continue providing home health services to the patient until the patient reaches twenty-one (21) years of age if:

(A) The patient received home health services from the home health agency prior to the date the patient reached eighteen (18) years of age; and

(B) The home health services are provided under a TennCare program.

(3) Any home health agency that provides home health services without a certificate of need pursuant to this subsection (s) must be accredited by:

(A) An accrediting organization with deeming authority from the federal centers for medicare and medicaid services;

(B) The Joint Commission;

(C) The Community Health Accreditation Partner; or

(D) The Accreditation Commission for Health Care.

**AND FURTHER AMEND** by adding the following to SECTION 10 as a new subsection (u):

(u)

(1) This part does not require a certificate of need to establish or operate the following in a county with a population in excess of one hundred

thousand (100,000), according to the 2010 federal census or any subsequent federal census:

(1) An ambulatory surgical treatment center;

(2) A free-standing emergency department;

(3) Initiation of magnetic resonance imaging services for non-pediatric patients or increasing the number of magnetic resonance imaging machines used for non-pediatric patients;

(4) Initiation of positron emission tomography; or

(5) An outpatient diagnostic center.

(2) An outpatient diagnostic center established without a certificate of need pursuant to this subsection (u) must become accredited by the American College of Radiology in the modalities provided by that facility within two (2) years of the date of licensure.

(3) A provider of positron emission tomography established without a certificate of need pursuant to this subsection (u) must become accredited by the American College of Radiology within two (2) years of the date of licensure.

**AND FURTHER AMEND** by adding the following to SECTION 10 as a new subsection (v):

(v) This part does not require a certificate of need to establish or operate a micro hospital.

**AND FURTHER AMEND** by adding the following to SECTION 10 as a new subsection (w):

(w)

(1) Each person who performs the following actions shall file an annual report as described in this subsection (w) with the health services and development agency:

(A) Cardiac catheterization;

(B) Open heart surgery;

(C) Organ transplantation;

(D) Operation of a burn unit;

(E) Operation of a neonatal intensive care unit;

(F) Provision of home health services; or

(G) Provision of hospice services.

(2) The annual report required by subdivision (w)(1) must be submitted in a manner and on forms prescribed by the agency, and must include utilization data according to source of payment and zip codes of patient origin.

(3) Each person required to submit an annual report by this subsection (w) must submit the annual report for the period coinciding with the state fiscal year ending June 30, 2020, on or before September 30, 2020. The annual report for each subsequent fiscal year must be submitted to the agency no later than thirty (30) days following the end of each state fiscal year.

(4) The agency may impose a civil penalty not to exceed fifty dollars (\$50.00) per day, for each day an annual report required by this subsection (w) is late.

**AND FURTHER AMEND** by deleting subsection (c) from the amendatory language of SECTION 12 and substituting instead the following:

(c) Activity authorized by a certificate of need must be completed within a period not to exceed three (3) years for hospital projects, and two (2) years for all other projects, from the date of its issuance and after such time the certificate of need authorization expires. However, the agency may, in granting the certificate of need, allow longer periods of validity for certificates of need for good cause shown. Subsequent to granting the certificate of need, the agency may extend a certificate of need for a period upon application and good cause shown, accompanied by a nonrefundable reasonable filing fee, as prescribed by rule. A certificate of need authorization that has been extended expires at the end of the extended time period. The decision whether to grant an extension is within the sole discretion of the agency and is not subject to review, reconsideration, or appeal.

**AND FURTHER AMEND** by deleting subsection (d) from the amendatory language of SECTION 12 and substituting instead the following:

(d) If the time period authorized by a certificate of need has expired, then the certificate of need authorization is void. No revocation proceeding is required. No license or occupancy approval may be issued by the department of health or the department of mental health and substance abuse services for any activity for which a certificate of need has become void.



**AND FURTHER AMEND** by deleting subsection (i) from the amendatory language of SECTION 12 and substituting instead the following:

(i)

(1) Notwithstanding any law to the contrary, and except as provided in subdivision (i)(2), a certificate of need and any activity it authorizes becomes void if the actions it authorizes have not been performed for a continuous period of one (1) year after the date the certificate of need is implemented. With respect to a home care organization, this subsection (i) applies to each county for which the home care organization is licensed. No revocation proceeding is required. The department of health and the department of mental health and substance abuse services shall not issue or renew a license for any activity for which certificate of need authorization has become void.

(2)

(A) The agency may issue a temporary exemption to subdivision (i)(1) upon finding that sufficient cause for the temporary cessation of the activity has been presented to the agency along with a plan to resume the activity in the future.

(B) The agency shall prescribe the procedures for issuing temporary exemptions by rule.

(C) The agency's approval or denial of a temporary exemption is a final agency decision subject to appeal in the chancery court of Davidson County.

(3) This subsection (i) does not apply to the establishment of a healthcare institution or a healthcare institution's number of licensed beds if the healthcare institution has a license issued under this title, whether active or inactive.

**AND FURTHER AMEND** by deleting the amendatory language of SECTION 14 and substituting instead the following:

(i) All costs of the contested case proceeding and any appeals, including the administrative law judge's costs and deposition costs, such as expert witness fees and reasonable attorney's fees, must be assessed against the losing party in the contested case. If there is more than one (1) losing party, then the costs must be divided equally among the losing parties. Costs must not be assessed against the agency.

**AND FURTHER AMEND** by deleting SECTION 24 and substituting instead the following:

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SECTION 24. Tennessee Code Annotated, Section 68-11-1625, is amended by deleting the language "department of finance and administration" wherever it appears and substituting instead the language "department of health"; by deleting subdivision (d)(2) and renumbering the remaining subdivisions accordingly; and by deleting subsections (e) and (f).

**AND FURTHER AMEND** by deleting SECTION 26 and substituting instead the following:

SECTION 26. Tennessee Code Annotated, Section 68-11-1628, is amended by deleting the section.

**AND FURTHER AMEND** by deleting SECTION 27 and substituting instead the following:

SECTION 27. Tennessee Code Annotated, Section 68-11-1629, is amended by deleting the section.

SECTION 28. Tennessee Code Annotated, Section 68-11-1631, is amended by deleting the section.

SECTION 29. Tennessee Code Annotated, Section 68-11-1632, is amended by deleting the section.

SECTION 30. Tennessee Code Annotated, Section 68-11-1633, is amended by deleting the section and substituting the following:

(a) In consultation with the department of health, the department of mental health and substance abuse services, and the department of intellectual and developmental disabilities, and subject to § 68-11-1609(h), the agency shall develop measures by rule for assessing quality for entities that, on or after July 1, 2016, receive a certificate of need under this part. In developing quality measures, the agency may seek the advice of stakeholders with respect to certificates of need for specific institutions or services.

(b) If the agency determines that an entity has failed to meet the quality measures developed under this section, then the agency shall refer that finding to the board for licensing healthcare facilities or the department of mental health and substance abuse services, whichever is appropriate, for appropriate action on the license of the entity under part 2 of this chapter.

(c) If the agency determines that an entity has failed to meet any quality measure imposed as a condition for a certificate of need by the agency, then the agency may impose penalties pursuant to § 68-11-1617 or revoke a certificate of need pursuant to § 68-11-1619.

SECTION 31. This act shall take effect upon becoming a law, the public welfare requiring it.

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On motion, Health Committee Amendment No. 1 was adopted.

Rep. Helton moved adoption of Health Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 2312 by adding the following to the amendatory language of SECTION 10 as a new subsection:

( )

(1) This part does not require a certificate of need to establish a home care organization limited to providing home health services, as defined in § 68-11-201, to patients under the care of a healthcare research institution, as defined in § 68-11-1901.

(2) Any license issued by the department pursuant to the exception created by this subsection ( ) must be limited to the provision of services only to the patients of the healthcare research institution, as defined in § 68-11-1901, or the patients of a hospital or clinic that has its principal place of business located in this state and that is affiliated with the healthcare research institution.

(3) Any home care organization that provides home health services without a certificate of need pursuant to this subsection ( ) must, within twelve (12) months of the date the home care organization is granted a license by the department, be accredited by the Joint Commission, the Community Health Accreditation Partner, DNV GL Healthcare, or the Accreditation Commission for Health Care in order to continue to qualify for the exception created by this subsection ( ).

On motion, Health Committee Amendment No. 2 was adopted.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 3, as follows:

**Amendment No. 3**

AMEND Senate Bill No. 2312 by adding the language "mental health hospital;" after the language "ambulatory surgical treatment center;" in subdivision (9)(A) in SECTION 1.

**AND FURTHER AMEND** in SECTION 1 by deleting subdivision (9)(B)(vii); by deleting the language "or" after subdivision (9)(B)(vi); and by adding the language "or" after subdivision (9)(B)(v).

**AND FURTHER AMEND** by adding the following as a new appropriately designated subdivision in SECTION 1:

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( ) "Micro mental health hospital" means a facility required to be licensed as a mental health hospital under title 33 that has no more than ten (10) beds for admitted patients;

**AND FURTHER AMEND** by adding the following to the amendatory language of SECTION 10 as a new subsection:

( ) This part does not require a certificate of need to establish or operate a micro mental health hospital in any county with a population less than one hundred fifty thousand (150,000), according to the 2010 federal census or any subsequent federal census.

**AND FURTHER AMEND** by deleting from SECTION 10 the language "home health agency" wherever it appears and substituting instead the language "home care organization".

**AND FURTHER AMEND** by deleting the amendatory language of SECTION 14 and substituting instead the following:

(i) All costs of the contested case proceeding and any appeals, including the administrative law judge's costs and deposition costs, such as expert witness fees and reasonable attorney's fees, must be assessed against the losing party in the contested case. If there is more than one (1) losing party, then the costs must be divided equally among the losing parties. Costs must not be assessed against the agency or against any applicant for a certificate of need who is defending the approval of the applicant's certificate of need application.

**AND FURTHER AMEND** by deleting SECTION 17 and substituting instead the following:

SECTION 17. Tennessee Code Annotated, Section 68-11-1614, is amended by deleting the section and substituting the following:

(a) The commissioner of health shall provide the agency with aggregate data from the hospital discharge database and ambulatory surgical treatment center discharge database within fourteen (14) business days from the commissioner's receipt of a request. The information must include aggregate data by state, county, or zip code, as requested. The information must not include any patient identifiers that would lead to a patient's identity, such as name or street address. All information received pursuant to this section must be available for public disclosure by the agency, as long as it does not contain any patient identifiers.

(b) The commissioner of mental health and substance abuse services shall provide the agency with aggregate data about nonresidential substitution-based treatment centers for opiate addiction licensed in Tennessee within fourteen (14) business days from the commissioner's receipt of a request. The information must include aggregate data about patient origin by state, county, or zip code, as

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requested, at licensee treatment centers in this state. The information must not include any patient identifiers that would lead to a patient's identity, such as name or street address. All information received pursuant to this section must be available for public disclosure by the agency, as long as it does not contain any patient identifiers.

(c) The commissioners of health, mental health and substance abuse services, and intellectual and developmental disabilities may submit written reports or statements and they may also send representatives to testify before the agency to inform the agency with respect to applications.

**AND FURTHER AMEND** by deleting SECTION 23 and substituting instead the following:

SECTION 23. Tennessee Code Annotated, Section 68-11-1623, is amended by deleting the section and substituting the following:

(a) All fees and civil penalties authorized by this part must be paid by the health services and development agency or the collecting agency to the state treasurer and deposited in the state general fund and credited to a separate account for the agency. Fees include, but are not limited to, fees for the application of certificates of need, subscriptions, project cost overruns, copying, and contested cases. Disbursements from that account may only be made for the purpose of defraying expenses incurred in the implementation and enforcement of this part by the agency. Funds remaining in the account at the end of any fiscal year do not revert to the general fund but remain available for expenditure in accordance with law.

(b) The agency shall prescribe fees by rule as authorized by this part. The fees must be in an amount that, in addition to the fees prescribed in subsection (c), provides for the cost of administering the implementation and enforcement of this part by the agency. Fees prescribed by the agency must be adjusted as necessary to provide that the account is fiscally self-sufficient and that revenues from fees do not exceed necessary and required expenditures.

(c) The department of health shall annually collect the following schedule of fees from healthcare providers, and the fees must be paid to the state treasurer and deposited in the state general fund and credited to the agency's separate account. The following schedule applies:

- (1) Residential hospice ..... \$100 per  
license;
- (2) Nursing homes 1-50 beds ..... \$500 per  
license;
- (3) Nursing homes 51-100 beds ..... \$1,500 per  
license;

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- (4) Nursing homes 101+ beds ..... \$2,500 per  
license;
- (5) Hospitals 1-100 beds ..... \$2,000 per  
license;
- (6) Hospitals 101-200 beds ..... \$3,500 per  
license;
- (7) Hospitals 201+ beds ..... \$5,000 per  
license;
- (8) Ambulatory surgical treatment centers ..... \$1,000 per  
license;
- (9) Outpatient diagnostic centers ..... \$1,000 per  
license;
- (10) Home care organizations authorized to provide home health  
services or hospice services ..... \$500 per  
license;
- (11) Birthing Centers..... \$50 per  
license;
- (12) Nonresidential substitution-based treatment centers for opiate  
addiction ..... \$500 per  
license;
- (13) Intellectual disability institutional habilitation facilities  
..... \$100 per  
license.

**AND FURTHER AMEND** by deleting the effective date section and substituting instead the following:

SECTION \_\_\_\_\_. Section 23 of this act shall take effect July 1, 2020, the public welfare requiring it. The remainder of this act shall take effect January 1, 2021, the public welfare requiring it, and applies to certificate of need applications filed on or after that date.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 3, was adopted.

Rep. Crawford moved that the House consider House Amendment No. 4 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

Ayes..... 92

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Noes ..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

Rep. Crawford moved adoption of House Amendment No. 4 as follows:

**Amendment No. 4**

AMEND Senate Bill No. 2312 by deleting from subdivision (m)(2) in the amendatory language of SECTION 10 the language "one hundred thousand (100,000)" and substituting instead the language "one hundred seventy-five thousand (175,000)".

**AND FURTHER AMEND** by deleting from subsection (u) in the amendatory language of SECTION 10 the language "one hundred thousand (100,000)" and substituting instead the language "one hundred seventy-five thousand (175,000)".

On motion, House Amendment No. 4 was adopted by the following vote:

Ayes..... 91  
Noes ..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

Rep. Powers moved the previous question, which motion prevailed.

Rep. Smith moved that **Senate Bill No. 2312**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 68  
Noes ..... 23

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Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Kumar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Tillis, Todd, Van Huss, Vaughan, Weaver, White, Williams, Wright, Zachary, Mr. Speaker Sexton--68

Representatives voting no were: Beck, Casada, Chism, Clemmons, Dixie, Doggett, Dunn, Freeman, Hakeem, Johnson G, Keisling, Lamar, Love, Mitchell, Ogles, Parkinson, Powell, Staples, Stewart, Thompson, Towns, Whitson, Windle--23

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on Amendment No. 4 to **Senate Bill No. 2312** and have this statement entered in the Journal: Rep. T. Hill.

**CONFERENCE COMMITTEE APPOINTED  
ON SENATE BILL NO. 2381**

Speaker Sexton removed Rep. Lafferty from the Conference Committee for Senate Bill No. 2381 and appointed Reps. Farmer and Bricken.

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, SB2741. The Senate moved to reconsider SB2741 and moved to non-concur in House Amendment No. 1.

RUSSELL A. HUMPHREY, Chief Clerk

**HOUSE ACTION ON SENATE MESSAGES**

**MOTION TO RECONSIDER**

**Senate Bill No. 2741** -- Courts - As introduced, allows a court to temporarily hold court proceedings in a courthouse or other room located outside the county seat under specific circumstances. - Amends TCA Section 16-1-105. by \*Bell, \*Yager. (HB2768 by. \*Carter, \*Russell, \*Calfee, \*Daniel)

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Rep. Carter moved to lift from the table the motion to reconsider action in passing Senate Bill No. 2741, which motion prevailed.

Rep. Carter moved to reconsider action in passing Senate Bill No. 2741, which motion prevailed.

Rep. Carter moved passage of Senate Bill No. 2741, as amended, on third and final consideration.

Rep. Curcio moved the House reconsider its action in withdrawing House Amendment No. 1, which motion prevailed.

Rep. Curcio moved to withdraw House Amendment No. 1, which motion prevailed.

Rep. Carter moved that **Senate Bill No. 2741** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	85
Noes .....	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Sparks, Staples, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Zachary, Mr. Speaker Sexton--85

A motion to reconsider was tabled.

**JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. C. Johnson voted "aye" on **Senate Bill No. 2741**.

**RECESS MOTION**

Rep. Lamberth moved that the House stand in recess until 7:00 p.m. today, which motion prevailed.

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**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Sexton.

**ROLL CALL DISPENSED**

On motion of Rep. Lamberth the roll call was dispensed with.

**SPECIAL ORDER**

Without objection, Rep. Tillis moved to take up House Bill No. 2201, out of order at this time as follows:

**House Bill No. 2201** -- Mobile Homes and Manufactured Buildings - As introduced, removes the commissioner of the department of commerce and insurance's ability to establish a monitoring inspection fee paid by manufactured home manufacturers. - Amends TCA Title 55; Title 67 and Title 68. by \*Tillis, \*Whitson, \*Sherrell, \*Zachary, \*Moon. (\*SB1775 by \*Massey, \*Gresham, \*Niceley, \*Pody, \*Stevens)

On motion, House Bill No. 2201 was made to conform with **Senate Bill No. 1775**; the Senate Bill was substituted for the House Bill.

Rep. Tillis moved that Senate Bill No. 1775 be passed on third and final consideration.

Rep. Howell moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lynn moved that Finance, Ways and Mean Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Mitchell moved the previous question, which motion prevailed.

Rep. Tillis moved that **Senate Bill No. 1775** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	90
Noes .....	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples,

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Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

**SPECIAL ORDER**

Without objection, Rep. Hazlewood moved to take up House Bill No. 1806, out of order at this time as follows:

**House Bill No. 1806** -- Public Funds and Financing - As introduced, specifies the assumptions that a political subdivision's actuary's report must include when analyzing financing obligations under the political subdivision's pension plan; adds other related revisions. - Amends TCA Title 9, Chapter 3, Part 5. by \*Hazlewood. (\*SB1727 by \*Gardenhire, \*Stevens)

On motion, House Bill No. 1806 was made to conform with **Senate Bill No. 1727**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that Senate Bill No. 1727 be passed on third and final consideration.

Rep. Lynn moved that Pensions and Insurance Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Crawford moved that Local Committee Amendment No. 1, as Hosue Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Mitchell moved the previous question, which motion prevailed.

Rep. Hazlewood moved that **Senate Bill No. 1727** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	88
Noes .....	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Sexton--88

A motion to reconsider was tabled.

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**SPECIAL ORDER**

Without objection, Rep. Hulsey moved to take up House Bill No. 1615, out of order at this time as follows:

**House Bill No. 1615** -- Correction, Dept. of - As introduced, authorizes the department to contribute state funds toward the funeral expenses of any correctional employee killed in the line of duty. - Amends TCA Title 4, Chapter 3, Part 6. by \*Hulsey, \*Hurt, \*Griffey, \*Whitson, \*Sherrell, \*Thompson, \*Moody, \*Stewart. (\*SB1578 by \*Dickerson, \*Jackson, \*Yager, \*Crowe, \*Yarbro, \*Massey, \*Robinson, \*Rose, \*White, \*Akbari, \*Stevens, \*Gilmore, \*Kyle)

On motion, House Bill No. 1615 was made to conform with **Senate Bill No. 1578**; the Senate Bill was substituted for the House Bill.

Rep. Hulsey moved that Senate Bill No. 1578 be passed on third and final consideration.

Rep. Keisling moved that State Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lynn moved that Finance, Ways and Means Committee Amendmntn No. 1, as House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Hulsey moved that the House consider House Amendment No. 3 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

Ayes.....	89
Noes .....	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Sexton--89

Rep. Hulsey moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

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AMEND Senate Bill No. 1578 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 6, is amended by adding the following as a new section:

(a) This act shall be known and may be cited as the Debra Johnson Act.

(b) The department of correction may, if the commissioner of correction deems it appropriate, contribute up to two thousand dollars (\$2,000) in state funds toward the funeral and burial expenses, as defined in § 1-3-105, of any correctional employee killed in the line of duty.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, House Amendment No. 3 was adopted by the following vote:

Ayes..... 87  
Noes ..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Sexton--87

Rep. Mitchell moved the previous question, which motion prevailed.

Rep. Hulsey moved that **Senate Bill No. 1578**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 87  
Noes ..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Faison, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Sexton--87

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A motion to reconsider was tabled.

### SPECIAL ORDER

Without objection, Rep. Marsh moved to take up House Bill No. 2053, out of order at this time as follows:

**\*House Bill No. 2053** -- Cooperatives - As introduced, requires the secretary of state to provide a listing on the secretary of state's website of the fees charged to telephone cooperatives and any changes to those fee amounts. - Amends TCA Title 65 and Title 66. by \*Marsh, \*Boyd, \*Calfee. (SB2019 by \*Yager)

On motion, House Bill No. 2053 was made to conform with **Senate Bill No. 2019**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 2019 be passed on third and final consideration.

Rep. T. Hill moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved the previous question, which motion prevailed.

Rep. Marsh moved that **Senate Bill No. 2019** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	88
Noes .....	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Sexton--88

A motion to reconsider was tabled.

### SPECIAL ORDER

Without objection, Rep. Van Huss moved to take up House Bill No. 2492, out of order at this time as follows:

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**House Bill No. 2492** -- Search & Seizure - As introduced, limits law enforcement authority of wildlife resources officers to conduct searches and seizures. - Amends TCA Title 20; Title 29; Title 38; Title 39; Title 40 and Title 70. by \*Van Huss, \*Faison. (\*SB2292 by \*Bowling, \*Powers, \*Stevens)

On motion, House Bill No. 2492 was made to conform with **Senate Bill No. 2292**; the Senate Bill was substituted for the House Bill.

Rep. Van Huss moved that Senate Bill No. 2292 be passed on third and final consideration.

Rep. Lamberth moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Van Huss moved that **Senate Bill No. 2292** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	82
Noes .....	4
Present and not voting .....	2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Gant, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Wright, Zachary, Mr. Speaker Sexton--82

Representatives voting no were: Freeman, Ogles, Shaw, Windle--4

Representatives present and not voting were: Griffey, Whitson--2

A motion to reconsider was tabled.

**SPECIAL ORDER**

Without objection, Rep. Keisling moved to take up House Bill No. 2734, out of order at this time as follows:

**\*House Bill No. 2734** -- Taxes, Sales - As introduced, changes, from July 1 to July 15, the date by which a list of economically distressed counties eligible for apportionment of sales and use tax revenue to commercial development districts is to be published by the commissioners of finance and administration, economic and community development, and revenue. - Amends TCA Title 67, Chapter 6. by \*Sexton C, \*Keisling, \*Byrd. (SB2878 by \*Bailey)

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On motion, House Bill No. 2734 was made to conform with **Senate Bill No. 2878**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 2878 be passed on third and final consideration.

Rep. Lynn moved that Finance, Ways and Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Keisling moved that **Senate Bill No. 2878** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	86
Noes .....	2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

Representatives voting no were: Dixie, Holt--2

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 2878** and have this statement entered in the Journal: Reps. Hazlewood and Staples.

**SPECIAL ORDER**

Without objection, Rep. Williams moved to take up House Bill No. 1387, out of order at this time as follows:

**\*House Bill No. 1387** -- Taxes, Sales - As introduced, requires out-of-state sellers with more than \$100,000 in sales or more than 200 separate sales in this state during previous 12-month period to collect and remit sales tax to department of revenue rather than having in-state consumers remit the use tax for purchases made from such dealers. - Amends TCA Title 49; Title 67; Chapter 72 of the Public Acts of 2011; Chapter 193 of the Public Acts of 2017; Chapter 273 of the Public Acts of 2015; Chapter 452 of the Public Acts of 2017; Chapter 480 of the Public Acts of 2013; Chapter 530 of the Public Acts of 2009 and Chapter 602 of the Public Acts of 2007. by

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\*Williams, \*Jernigan, \*Boyd, \*Love, \*Helton, \*Carter, \*Hall, \*Howell, \*Towns, \*Smith, \*Windle, \*Stewart, \*Littleton, \*Lynn, \*Byrd, \*Beck. (SB1457 by \*Bailey)

Rep. Williams moved that House Bill No. 1387 be passed on third and final consideration.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1387 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-603, is amended by adding the following new subsection (d):

(d) If, on or after March 1, 2020, and before May 1, 2020, a residential building or improvement was demolished or destroyed by a severe storm, tornado, or straight-line wind in a county designated by the federal emergency management agency (FEMA) as eligible for individual assistance through a major disaster declaration, the annual assessment of the affected building or improvement in a county included in the FEMA declaration shall be prorated for tax year 2020 in the manner provided in subsection (a), for the actual time the building or improvement is destroyed and not replaced regardless of whether the building or improvement is restored or replaced by October 1, 2020; provided, that the total time the building or improvement is destroyed and not replaced, exceeds thirty (30) days. The owner must apply for this relief to the assessor by October 1, 2020, using a form approved by the director of the state division of property assessments. If the tax computed for tax year 2020 has been paid prior to the proration by the assessor, the county or municipality shall refund to the owner that portion of the tax paid that resulted from the revised assessment. This subsection (d) shall be effective retroactively to March 1, 2020, but shall not take effect as to any particular county or municipality unless approved by two-thirds (2/3) vote of its governing body.

SECTION 2. It is the legislative intent that, subject to appropriation of funds in the general appropriations act, any loss in property tax revenue to counties and municipalities resulting from implementation of Section 1 be offset from available and remaining funds appropriated for disaster relief in Section 59 of Chapter 651 of the Public Acts of 2020.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions of the act which can be upheld without the invalid provision, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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On motion, Finance, Ways, and Means Committee Amendment No. 1 was adopted.

Rep. Williams moved that **House Bill No. 1387**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 83  
Noes ..... 3

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Crawford, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulse, Hurt, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--83

Representatives voting no were: Dixie, Holt, Parkinson--3

A motion to reconsider was tabled.

**SPECIAL ORDER**

Without objection, Rep. Lamberth moved to take up House Bill No. 2131, out of order at this time as follows:

**\*House Bill No. 2131** -- Museums - As introduced, designates the Tennessee state museum located at 1000 Rosa L. Parks Boulevard as the "William E. Haslam Center". - Amends TCA Title 4 and Title 12. by \*Lamberth, \*Sexton C, \*Lynn, \*Whitson, \*Hazlewood, \*Williams, \*Smith, \*Marsh, \*Hicks, \*Gant, \*Boyd, \*Curcio, \*Russell, \*Dunn, \*White, \*Moon, \*Wright, \*Faison. (SB2301 by \*Watson, \*Stevens, \*Yager)

On motion, House Bill No. 2131 was made to conform with **Senate Bill No. 2301**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 2301 be passed on third and final consideration.

Rep. Lynn moved that Finance, Ways and Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamar moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. J. Sexton moved the previous question, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 2301** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes..... 88  
Noes ..... 2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--88

Representatives voting no were: Clemmons, Parkinson--2

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2312; The Senate nonconcurred in House Amendment No(s). 1, 2, 3, & 4

RUSSELL A. HUMPHREY, Chief Clerk

**HOUSE ACTION ON SENATE MESSAGES**

**Senate Bill No. 2312** -- Hospitals and Health Care Facilities - As introduced, makes various changes to the certificate of need process for healthcare facilities and services. - Amends TCA Title 68, Chapter 11, Part 16. by \*Gardenhire, \*Reeves, \*Watson, \*Jackson, \*Crowe, \*Stevens. (HB2350 by \*Smith, \*Daniel, \*Sherrell, \*Hardaway, \*Baum, \*Helton, \*Sparks)

Rep. Smith moved that the House refuse to recede from its action in adopting House Amendments Nos. 1, 2, 3 and 4 to **Senate Bill No. 2312**, which motion prevailed.

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, HB1772. The Senate refused to recede from its action in adopting Senate amendment No. 1.

RUSSELL A. HUMPHREY, Chief Clerk

**HOUSE ACTION ON SENATE MESSAGES**

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**House Bill No. 1772** -- Sunset Laws - As introduced, extends the state capitol commission to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 8. by \*Daniel, \*Dunn, \*Hardaway. (SB1694 by \*Roberts)

Rep. Daniel moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1 to **House Bill No. 1772**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED  
ON HOUSE BILL NO. 1772**

Pursuant to **Rule No. 73**, Representative Daniel moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1772, which motion prevailed.

The Speaker appointed Representatives Daniel, Lamberth and Hardaway as the House members of the Conference Committee on House Bill No. 1772.

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, HB2156.

The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators: Bell, Gilmore & Briggs to confer with a like committee from the House in open conference to resolve the differences between the bodies on HB2156.

RUSSELL A. HUMPHREY, Chief Clerk

**HOUSE ACTION ON SENATE MESSAGES**

**\*House Bill No. 2156** -- Public Funds and Financing - As introduced, changes from January 31 to March 1, the date by which the commissioner of economic and community development must report to the general assembly on the administration of the program allocating the state's bond authority among governmental units having authority to issue bonds. - Amends TCA Title 3; Title 4; Title 8; Title 9 and Title 12. by \*Boyd, \*Hazlewood, \*Towns. (SB2111 by \*Lundberg, \*Bell)

**CONFERENCE COMMITTEE REPORT ON  
HOUSE BILL NO. 2156**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2156 (Senate Bill No. 2111) has met and recommends that all amendments be deleted.

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The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-731, is amended by adding the following as a new subsection:

(1) At least once each year, the department shall report to the fiscal review committee, on any new clawback rights being executed by the department during the current year, as well as any clawback rights from previous years that are still being collected by the department during the current year.

(2) As used in this subsection, "clawback" means a provision in an agreement or a separate agreement that reserves the right of the department to recover the amount of money, grants, funds, or other incentives disbursed by the department, in whole or in part, if the person or entity benefitting from such money, grants, funds, or other incentives fails to fulfill the commitments made by such person or entity to the department.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Mike Bell

/s/ Representative Clark Boyd

/s/ Senator Richard Briggs

/s/ Representative Pat Marsh

/s/ Senator Brenda Gilmore

/s/ Representative Joe Towns

Rep. Boyd moved that the Report of the Conference Committee on **House Bill No. 2156** be adopted and made the action of the house, which motion prevailed by the following vote:

Ayes.....	83
Noes .....	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Grills, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Mitchell, Moon, Ogles, Parkinson, Powell, Powers, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--83

A motion to reconsider was tabled.

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**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, HB1827.

The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators: Gresham, Bell & Akbari to confer with a like committee from the House in open conference to resolve the differences between the bodies on HB1827.

RUSSELL A. HUMPHREY, Chief Clerk

**HOUSE ACTION ON SENATE MESSAGES**

**\*House Bill No. 1827** -- Textbooks - As introduced, requires publishers to make all textbooks and instructional materials proposed for adoption available on the website of the department of education or the state textbook depository for inspection by LEAs and the public. - Amends TCA Title 49, Chapter 6, Part 22. by \*Haston, \*Griffey, \*White, \*Lamberth, \*Crawford, \*Hurt, \*Terry, \*Daniel, \*Lafferty, \*Sherrell.

**CONFERENCE COMMITTEE REPORT ON  
HOUSE BILL NO. 1827**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1827 (Senate Bill No. 2342) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-2203(d)(3), is amended by deleting the first sentence of the subdivision and substituting instead:

In addition to the finished textbooks and instructional materials required to be filed with the secretary of the commission, publishers shall make all textbooks and instructional materials proposed for adoption available for inspection by LEAs and the public online, which may include access via the state textbook depository's website.

SECTION 2. Tennessee Code Annotated, Section 49-6-2206, is amended by deleting the second sentence and substituting instead the following:

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At any time, upon application of the local board of education, the state board of education may waive this restriction when, in the state board's judgment, the unique or unusual needs of the school system require it. In making waiver determinations, the state board of education may receive assistance from the department of education.

SECTION 3. Tennessee Code Annotated, Section 49-6-2201(a)(2), is amended by deleting the language "with the right to vote" and substituting instead "without the right to vote".

SECTION 4. Tennessee Code Annotated, Title 49, Chapter 6, Part 22, is amended by adding the following language as a new section:

The commission shall maintain independence from the department of education. The department's role in the textbook adoption process is strictly limited. The department shall not perform any duties as part of the textbook adoption process other than the duties specifically assigned to the department in §§ 49-6-2201 – 49-6-2203.

SECTION 5. Tennessee Code Annotated, Section 49-6-2201(l)(1)(A), is amended by deleting the language ", through its chair,".

SECTION 6. Notwithstanding Tennessee Code Annotated, Section 4-5-208(a), the state board of education may promulgate rules, including emergency rules, necessary to effectuate Section 2 of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 7. Sections 1, 2, 3, and 5 of this act shall take effect August 1, 2020, the public welfare requiring it. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Dolores Gresham

/s/ Representative Kirk Haston

/s/ Senator Mike Bell

/s/ Representative Mark White

/s/ Representative John DeBerry

/s/ Representative Mark Cochran

Rep. Haston moved that the Report of the Conference Committee on **House Bill No. 1827** be adopted and made the action of the house, which motion prevailed by the following vote:

Ayes.....	86
Noes .....	0

Representatives voting aye were: Baum, Beck, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller,

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Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

A motion to reconsider was tabled.

**CLERK'S NOTE TO THE JOURNAL**

Pursuant to **Rule No. 20**, Rep. Potts was excused from Session on Thursday, June 18, 2020.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 363** Reps. Wright, Sherrell, Grills, J. Sexton, Boyd, Whitson, Carter, Powers and Griffey as prime sponsors.

**House Resolution No. 365** Reps. Sherrell, Hurt, Coley, Williams, Hicks, Marsh, Holt, Cochran and Leatherwood as prime sponsors.

**House Joint Resolution No. 815** Rep. Love as prime sponsor.

**House Joint Resolution No. 1229** Rep. Whitson as prime sponsor.

**House Bill No. 825** Reps. Lamberth, Howell, Kumar, Smith, Byrd, Hurt, J. Sexton, Wright, Keisling, Eldridge, Reedy, Ramsey, Van Huss, Weaver, Hall, Grills, Cepicky, M. Hill, Littleton, Calfee, Carr, Powers, Tillis, Leatherwood, Griffey, Holt, Russell, Boyd, Carter, Crawford, Marsh, Cochran, Bricken, Vaughan, Moody, Hulsey, Rudder, White, Gant, Hicks, Doggett, Rudd, Holsclaw, Todd, Ragan, Coley, C. Johnson, T. Hill, Halford, Lynn, Casada, Farmer, Garrett, Ogles, Moon, Hazlewood and Zachary as prime sponsors.

**House Bill No. 1673** Rep. Sherrell as prime sponsor.

**House Bill No. 1715** Rep. Cooper as prime sponsor.

**House Bill No. 1843** Rep. Moody as prime sponsor.

**House Bill No. 2113** Rep. Sherrell as prime sponsor.

**House Bill No. 2191** Rep. Thompson as prime sponsor.

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**House Bill No. 2498** Reps. Thompson and Dunn as prime sponsors.

**House Bill No. 2938** Rep. Powell as First prime sponsor.

**House Bill No. 2938** Reps. Dixie, Miller and Parkinson as prime sponsors.

**SPONSORS REMOVED**

On motion, Rep. Hardaway was removed as sponsor of **House Bill No. 2515**.

**REQUEST TO BE ADDED AS SPONSOR**

The following member requested to add their name as sponsor as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage of said bill:

**House Joint Resolution No. 1239** Rep. Coley

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2381. The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, HB1772.

The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators: Roberts, Rose & Pody to confer with a like committee from the House in open conference to resolve the differences between the bodies on HB1772

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2931. The Senate adopted the Conference Committee Report and made it the action of the Senate.

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RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2935. The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, House Bill No. 2156. The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, SB2312.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No.1, 2, 3, & 4.

The Speaker appointed a Conference Committee composed of Senators:Gardenhire, Reeves & Akbari to confer with a like committee from the House in open conference to resolve the differences between the bodies on SB2312.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2932. The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS**

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**June 18, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2912, 2914, 2916, 2920, 2921, 2927, 2928 and 2929; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**

**June 18, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 1213, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1231 and 1232; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**June 18, 2020**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1213, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1231 and 1232.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK**

**June 18, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1642, 1708, 1750, 2028, 2120, 2255, 2266, 2461, 2586, 2588, 2907 and 2909; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**

**June 18, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 368, 369, 370 and 371; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

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**June 18, 2020**

The Speaker announced that he had signed the following: House Resolutions Nos. 368, 369, 370 and 371.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**June 18, 2020**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1213, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1231 and 1232; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS**

**June 18, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 2918 and 2932.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR**

**June 18, 2020**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 1193 and 1194; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**ENROLLED BILLS**

**June 18, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 372 and 373; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**June 18, 2020**

The Speaker announced that he had signed the following: House Resolutions Nos. 372 and 373.

GREG GLASS, Chief Engrossing Clerk

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**ENGROSSED BILLS  
June 18, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 2052, 2263, 2680, 2689 and 2705; House Joint Resolutions Nos. 1245 and 1246.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1651, 2911 and 2926; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, House Bill No. 2278; substituted for Senate Bill on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
June 18, 2020**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 2918 and 2932; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS  
June 18, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1387;

GREG GLASS, Chief Engrossing Clerk

**CLERK'S NOTATION**

The hour of 12:00 midnight on June 19, 2020 having arrived, the House commenced with the 74th Legislative Day.

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